

1976 No. 262

INDUSTRIAL TRIBUNALS**Industrial Tribunals (Industrial Relations) Regulations
(Northern Ireland) 1976***Made* 1st September 1976*Coming into operation* 1st October 1976

The Department of Manpower Services in exercise of the powers conferred by Article 59 of the Industrial Relations (Northern Ireland) Order 1976(a), and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and revocation

1.—(1) These Regulations may be cited as the Industrial Tribunals (Industrial Relations) Regulations (Northern Ireland) 1976 and shall come into operation on 1st October 1976.

(2) The Industrial Tribunals (Employment and Compensation) Regulations (Northern Ireland) 1967(b), the Industrial Tribunals (Redundancy Payments) Regulations (Northern Ireland) 1967(c) and the Industrial Tribunals (Equal Pay) Regulations (Northern Ireland) 1976(d) are hereby revoked.

Interpretation

2. In these Regulations—

“the Act of 1965” means the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965(e);

“the Order of 1976” means the Industrial Relations (Northern Ireland) Order 1976;

“applicant” means a person who in pursuance of Rule 1 has sent an originating application to the Secretary of the Tribunals for a decision of a tribunal and includes—

(a) the Department,

(b) a claimant or complainant, and

(c) in relation to interlocutory applications under these Rules, a person who seeks any relief;

“the clerk to the tribunal” means the person appointed by the Secretary of the Tribunals to act in that capacity at one or more hearings;

“the Commission” means the Equal Opportunities Commission for Northern Ireland established under Article 54 of the Sex Discrimination (Northern Ireland) Order 1976(f);

(a) S.I. 1976/1043 (N.I. 16) coming into operation on 1st October 1976. See S.R. 1976 No. 218 (C. 11)

(b) S.R. & O. (N.I.) 1967 No. 110 (p. 354)

(c) S.R. & O. (N.I.) 1967 No. 111 (p. 367)

(d) S.R. 1976 No. 61

(e) 1965 c. 19 (N.I.)

(f) S.I. 1976/1042 (N.I. 15)

“decision” in relation to a tribunal includes a declaration, an order (other than an interlocutory order), a recommendation or an award of the tribunal;

“Department” means the Department of Manpower Services;

“hearing” means a sitting of a tribunal duly constituted for the purpose of receiving evidence, hearing addresses and witnesses or doing anything lawfully requisite to enable the tribunal to reach a decision on any claim or question;

“the Office of the Tribunals” means the Central Office of the Industrial Tribunals;

“the President” means the President of the Industrial Tribunals or the person nominated by the Department to discharge for the time being the functions of the President;

“Register” means the Register of Applications and Decisions kept in pursuance of these Regulations;

“respondent” means a party to the proceedings before a tribunal other than the applicant, and other than the Department in proceedings under the Act of 1965 in which it is not cited as the person against whom relief is sought;

“Rule” means a Rule of Procedure contained in the Schedule;

“the Secretary of the Tribunals” means the person for the time being acting as the Secretary of the Office of the Tribunals;

“tribunal” means an industrial tribunal established in pursuance of the Industrial Tribunals Regulations (Northern Ireland) 1965(g), and in relation to any proceedings means the tribunal to which the proceedings have been referred.

Proceedings of tribunals

3. Except where separate Rules of Procedure, made under any statutory provision, are applicable the Rules of Procedure contained in the Schedule shall have effect in relation to all proceedings before a tribunal where—

- (a) the respondent or one of the respondents resides or carries on business in Northern Ireland; or
- (b) had the remedy been by way of action in the county court, the cause of action would have arisen wholly or in part in Northern Ireland; or
- (c) the proceedings are to determine a question which has been referred to the tribunal by a court in Northern Ireland.

Proof of decisions of tribunals

4. The production in any proceedings in any court of a document purporting to be certified by the Secretary of the Tribunals to be a true copy of an entry of a decision in the Register shall, unless the contrary is proved, be sufficient evidence of the document and of the facts stated therein.

Sealed with the Official Seal of the Department of Manpower Services for Northern Ireland on 1st September 1976.

(L.S.)

D. J. Perham

Senior Assistant Secretary

(g) S.R. & O. (N.I.) 1965 No. 112 (p. 402) as amended by S.R. & O. (N.I.) 1966 No. 261 (p. 838) and S.R. & O. (N.I.) 1967 No. 109 (p. 345)

SCHEDULE

Regulation 3

RULES OF PROCEDURE

Originating application

1.—(1) Proceedings for the determination of any matter by a tribunal shall be instituted by the applicant sending to the Secretary of the Tribunals an originating application which shall be in writing and shall set out—

- (a) the name and address of the applicant; and
- (b) the names and addresses of the person or persons against whom relief is sought or of the parties to the proceedings before the court (as the case may be); and
- (c) the grounds on which that relief is sought.

(2) Where the Secretary of the Tribunals is of the opinion that the originating application does not seek or on the facts stated therein cannot entitle the applicant to a relief which a tribunal has power to give, he may give notice to that effect to the applicant stating the reasons for his opinion and informing him that the application will not be registered unless he states in writing that he wishes to proceed with it.

(3) An application as respects which a notice has been given in pursuance of the preceding paragraph shall not be treated as having been received for the purposes of Rule 2 unless the applicant intimates in writing to the Secretary of the Tribunals that he wishes to proceed with it; and upon receipt of such an intimation the Secretary of the Tribunals shall proceed in accordance with that Rule.

(4) Where the applicant does not intimate in writing to the Secretary of the Tribunals that he wishes to proceed with the application the non-registration of the application shall be without prejudice to any right of the applicant to make a further application to a tribunal.

Action upon receipt of originating application

2.—(1) Upon receiving an originating application the Secretary of the Tribunals shall enter particulars of it in the Register and shall forthwith send a copy of it to the respondent and inform the parties in writing of the case number of the originating application entered in the Register (which shall thereafter constitute the title of the proceedings) and of the address to which notices and other communications to the Secretary of the Tribunals shall be sent. Every copy of the originating application sent by the Secretary of the Tribunals under this paragraph shall be accompanied by a written notice which shall include information, as appropriate to the case, about the means and time for entering an appearance, the consequences of failure to do so, and the right to receive a copy of the decision. The Secretary of the Tribunals shall also notify the parties that in all cases under any statutory provision providing for conciliation the conciliation services of the Department are available to them.

(2) In proceedings falling under the Act of 1965, the Secretary of the Tribunals shall forthwith send copies of all documents and notices to the Department notwithstanding the fact that it may not be a party to such proceedings.

(3) In all cases under any statutory provision providing for conciliation, the Secretary of the Tribunals shall forthwith send copies of all documents and notices to the Department.

Appearance by respondent

3.—(1) A respondent shall within 14 days of receiving the copy originating application enter an appearance to the proceedings by sending to the Secretary of the Tribunals a written notice of appearance setting out his full name and address and stating whether or not he intends to resist the application and, if so, on what grounds. Upon receipt of a notice of appearance the Secretary of the Tribunals shall forthwith send a copy of it to any other party.

(2) A respondent who has not entered an appearance shall not be entitled to take any part in the proceedings except—

- (i) to apply under Rule 12(1) for an extension of the time appointed by this Rule for entering an appearance;
 - (ii) to be called as a witness by another person;
 - (iii) to be sent a copy of a decision or specification of reasons or corrected decision or specification in pursuance of Rules 8(3), 8(7) or 9(5); and
 - (iv) to make an application under Rule 9(1)(b),
- and accordingly (without prejudice to the generality of this provision) he shall not be entitled—

- (a) to make an application under Rule 4;
- (b) to submit representations in writing for consideration by the tribunal in pursuance of Rule 6(3);
- (c) to be heard or to be represented at the hearing in pursuance of Rule 7;
- (d) to apply for directions in pursuance of Rule 12(2) or to receive a notice in pursuance of Rule 12(4); or
- (e) to make an application under Rule 9, except under paragraph (1)(b) of that Rule.

(3) A notice of appearance which is sent to the Secretary of the Tribunals after the time appointed by this Rule for entering appearance shall be deemed to include an application under Rule 12(1) (by the respondent who has sent the notice of appearance) for an extension of the time so appointed. Without prejudice to Rule 12(4), if the tribunal grants the application (which it may do notwithstanding that the grounds of the application are not stated) the Secretary of the Tribunals shall forthwith send a copy of the notice of appearance to any other party. The tribunal shall not refuse an extension of time under this Rule unless it has given the person wishing to enter an appearance an opportunity to show cause why the extension should be granted.

Power to require further particulars and attendance of witnesses and to grant discovery

4.—(1) Subject to Rule 3(2), a tribunal may on the application of a party to the proceedings (or the Department (whether or not a party)) made either by notice to the Secretary of the Tribunals or at the hearing of the originating application—

- (a) require a party to furnish in writing to the person making the application further particulars of the grounds on which he or it relies and of any facts and contentions relevant thereto;
- (b) grant to the person making the application such discovery or inspection of documents as might be granted by a county court; and
- (c) require the attendance of any person (including a party to the proceedings) as a witness or require the production of any document relating to the matter to be determined, wherever such witness may be within Northern Ireland;

and may appoint the time at or within which or the place at which any act required in pursuance of this Rule is to be done.

(2) A party on whom a requirement has been made under paragraph (1)(b) on an *ex parte* application and a person on whom a requirement has been made under paragraph (1)(c) may apply to the tribunal to vary or set aside the requirement.

(3) No such application to vary or set aside shall be entertained in a case where a time has been appointed under paragraph (1) in relation to the requirement unless it is made before the time or, as the case may be, expiration of the time so appointed. Notice of the application in accordance with Rule 11(3) shall be given to the party on whose application the requirement was made.

(4) Every document containing a requirement under paragraph (1)(b) or paragraph (1)(c) shall contain a reference to the fact that under Article 59(11) of the Order of 1976 any person who without reasonable excuse fails to comply with any such requirement shall be liable on summary conviction to a fine not exceeding £100.

(5) If the requirement under paragraph (1)(a) is not complied with, a tribunal, before or at the hearing, may dismiss the application, or, as the case may be, strike out the whole or part of the notice of appearance, and, where appropriate, direct that a respondent shall be debarred from defending altogether.

Time and place of hearing and appointment of assessor

5.—(1) The Department shall fix the date, time and place of the hearing of the originating application and the Secretary of the Tribunals shall not less than 14 days (or such shorter time as may be agreed by him with the parties) before the date so fixed (subject to Rule 3(2)) send to each party a notice of hearing which shall include information and guidance as to attendance at the hearing, witnesses and the bringing of documents (if any), representation by another person and written representations.

(2) Where in the case of any proceedings it is provided for one or more assessors to be appointed the Department may, if it thinks fit, appoint a person or persons having special knowledge or experience in relation to the subject matter of the originating application to sit with the tribunal as assessor or assessors.

The hearing

6.—(1) Any hearing of or in connection with an originating application shall take place in public unless in the opinion of the tribunal a private hearing is appropriate for the purpose of hearing evidence which relates to matters of such a nature that it would be against the interests of national security, public safety or public order to allow the evidence to be given in public or hearing evidence from any person which in the opinion of the tribunal is likely to consist of—

- (a) information which he could not disclose without contravening a prohibition imposed by or under any statutory provision; or
- (b) any information which has been communicated to him in confidence, or which he has otherwise obtained in consequence of the confidence reposed in him by another person; or
- (c) information the disclosure of which would cause substantial injury to any undertaking of his or any undertaking in which he works for reasons other than its effect on negotiations with respect to any of the matters mentioned in Article 3(1) of the Order of 1976.

(2) Subject to Rule 3(2), if a party shall desire to submit representations in writing for consideration by a tribunal at the hearing of the originating application that party shall send such representations to the Secretary of the Tribunals not less than 7 days before the hearing and shall at the same time send a copy of it to the other party or parties (and the Department (if not a party)).

(3) Where a party has failed to attend or be represented at the hearing (whether or not he has sent any written representations) the contents of his originating application or, as the case may be, of his entry of appearance may be treated by a tribunal as representations in writing.

(4) The Department if it so elects shall be entitled to appear as if it were a party and be heard at any hearing of or in connection with an originating application in proceedings which may involve payments out of the Northern Ireland Redundancy Fund under any statutory provision.

(5) Subject to Rule 3(2), at any hearing of or in connection with an originating application a party and any person entitled to appear may appear before the tribunal and may be heard in person or be represented by counsel or by a solicitor or by a representative of a trade union or an employers' association or by any other person whom he desires to represent him.

Procedure at hearing

7.—(1) Subject to Rule 3(2), at the hearing of the originating application a party, and the Department if it is not a party and it elects to appear under Rule 6(4) and any person entitled to appear shall be entitled to make an opening statement, to give evidence, to call witnesses, to cross-examine any witnesses called by the other party (or by the Department if it is not a party) and to address the tribunal.

(2) If a party shall fail to appear or to be represented at the time and place fixed for the hearing, the tribunal may dispose of the application in the absence of that party or may adjourn the hearing to a later date: Provided that before disposing of any application in the absence of a party the tribunal shall consider any representations submitted by that party in pursuance of Rule 6(2).

(3) A tribunal may require any witness to give evidence on oath or affirmation and for that purpose there may be administered an oath or affirmation in due form.

Decision of tribunal

8.—(1) A decision of a tribunal may be taken by a majority thereof and, if the tribunal shall be constituted of two members only, the chairman shall have a second or casting vote.

(2) The decision of a tribunal shall be recorded in a document signed by the chairman which shall contain the reasons for the decision.

(3) The clerk to the tribunal shall transmit the document signed by the chairman to the Secretary of the Tribunals who shall as soon as may be enter it in the Register and shall send a copy of the entry to each of the parties and to the persons entitled to appear who did so appear and where the originating application was sent to a tribunal by a court, to that court.

(4) The specification of the reasons for the decision shall be omitted from the Register in any case in which evidence has been heard in private and the tribunal so directs and in that event a specification of the reasons shall be sent to the parties and to any superior court in any proceedings relating to such decision together with the copy of the entry.

(5) The Register shall be kept at the Office of the Tribunals and shall be open to the inspection of any person without charge at all reasonable hours.

(6) The chairman of a tribunal shall have power by certificate under his hand to correct in documents recording the tribunal's decisions clerical mistakes or errors arising therein from any accidental slip or omission.

(7) The clerk to the tribunal shall send a copy of any document so corrected and the certificate of the chairman to the Secretary of the Tribunals who shall as soon as may be make such correction as may be necessary in the Register and shall send a copy of the corrected entry or of the corrected specification of the reasons, as the case may be, to each of the parties and to the persons entitled to appear who did so appear and where the originating application was sent to a tribunal by a court, to that court.

(8) If any decision is—

(a) corrected under paragraph (6); or

(b) reviewed, revoked or varied under Rule 9; or

(c) altered in any way by order of a superior court,

the Secretary of the Tribunals shall alter the entry in the Register to conform with any such certificate or order and shall send a copy of the new entry to each of the parties and to the persons entitled to appear who did so appear and where the originating application was sent to the tribunal by a court, to that court.

Review of tribunal's decisions

9.—(1) A tribunal shall have power to review and to revoke or vary by certificate under the chairman's hand any of its decisions in a case in which a county court has power to order a new trial on the grounds that—

- (a) the decision was wrongly made as a result of an error on the part of the tribunal staff; or
- (b) a party did not receive notice of the proceedings leading to the decision; or
- (c) the decision was made in the absence of a party or person entitled to be heard; or
- (d) new evidence has become available since the making of the decision provided that its existence could not have been reasonably known of or foreseen; or
- (e) the interests of justice require such a review.

(2) An application for the purposes of paragraph (1) may be made at the hearing. If the application is not made at the hearing, such application shall be made to the Secretary of the Tribunals at any time from the date of the hearing until 14 days after the date of the entry of a decision in the Register and must be in writing stating the grounds in full.

(3) An application for the purposes of paragraph (1) may be refused by the President or by the chairman of the tribunal which decided the case if in his opinion it has no reasonable prospect of success.

(4) If such an application is not refused under paragraph (3) it shall be heard by the tribunal and if it is granted the tribunal shall either vary its decision or revoke its decision and order a re-hearing.

(5) The clerk to the tribunal shall send to the Secretary of the Tribunals the certificate of the chairman as to any revocation or variation of the tribunal's decision under this Rule. The Secretary of the Tribunals shall as soon as may be make such correction as may be necessary in the Register and shall send a copy of the entry to each of the parties and to the persons entitled to appear who did so appear and where the originating application was sent to a tribunal by a court, to that court.

Costs

10.—(1) Subject to paragraphs (2) and (3), a tribunal shall not normally award costs but where in its opinion a party to any proceedings (and if he is a respondent whether or not he has entered an appearance) has acted frivolously or vexatiously the tribunal may make—

- (a) an order that that party shall pay to another party (or to the Department, where appropriate, if it is not a party) either a specified sum in respect of the costs incurred by that other party (or, as the case may be, by the Department) or, in default of agreement, the taxed amount of those costs;
- (b) an order that that party shall pay to the Department a specified sum in respect of the whole, or any part, of any allowances (other than allowances paid to members of tribunals or assessors) paid by the Department under section 13(3) of the Industrial Training Act (Northern Ireland) 1964(h) (as amended by section 52(5) of the Act of 1965) to any person for the purposes of, or in connection with, his attendance at the tribunal.

(2) Notwithstanding the provisions of paragraph (1) where—

- (a) on the application of a party to the proceedings the tribunal has postponed the day or time fixed for the hearing or has adjourned the hearing, the tribunal may make orders against that party or, as the case may be, in favour of that party as at paragraph (1)(a) and (b) as respects any costs incurred or any allowances paid as a result of the postponement or adjournment; or

(h) 1964 c. 18 (N.I.)

(b) any postponement or adjournment of the hearing has been caused by the respondent where (in accordance with Article 59(4) of the Order of 1976 in relation to a complaint of unfair dismissal) the employee has expressed a wish to be reinstated or re-engaged which has been communicated to the employer at least 7 days before the hearing of the complaint, the tribunal shall, in the absence of a special reason for his failure to adduce reasonable evidence as to the availability of the job from which the employee was dismissed, or of comparable or suitable employment, make orders against that respondent as at paragraph (1)(a) and (b) as respects any costs incurred or any allowances paid as a result of the postponement or adjournment.

(3) Any costs required by an order under this Rule to be taxed may be taxed in the county court according to such of the scales prescribed by the county court rules for proceedings in the county court as shall be directed by the order.

Miscellaneous powers of tribunal

11.—(1) Subject to the provisions of these Rules, a tribunal may regulate its own procedure.

(2) A tribunal may, if it thinks fit,—

(a) subject to Rule 4(3), extend the time appointed by these Rules for doing any act notwithstanding that the time appointed may have expired;

(b) postpone during such time as the tribunal shall think fit the day or time fixed for, or adjourn, any hearing particularly as respects cases under any statutory provision providing for conciliation for the purpose of giving an opportunity for the complaint to be settled by way of conciliation and withdrawn;

(c) if the applicant shall at any time give notice of the withdrawal of his originating application, dismiss the proceedings;

(d) if both or all the parties (and the Department, where appropriate, if it is not a party) agree in writing upon the terms of a decision to be made by the tribunal, decide accordingly;

(e) at any stage of the proceedings order to be struck out or amended any originating application or notice of appearance or anything in such application or notice of appearance on the ground that it is scandalous, frivolous or vexatious.

(3) A tribunal may, if it thinks fit, before granting an application under Rule 4 or Rule 12 require the party (or, where appropriate, the Department (whether or not a party)) making the application to give notice of it to the other party or parties (and, where appropriate, the Department (whether or not a party)). The notice shall give particulars of the application and indicate the address to which and the time within which any objection to the application shall be made being an address and time specified for the purposes of the application by the tribunal.

(4) Any act other than the hearing of an originating application or the making of an order under Rule 9(1) required or authorised by these Rules to be done by a tribunal may be done by the President or the chairman of the tribunal.

(5) Rule 10 shall apply to an order dismissing proceedings under paragraph (2)(c).

Extension of time and directions

12.—(1) An application to a tribunal for an extension of the time appointed by these Rules for doing any act may be made by a party (or, where appropriate, by the Department (whether or not a party)) either before or (subject to Rule 4(3)) after the expiration of any time so appointed.

(2) Subject to Rule 3(2), a party (or, where appropriate, the Department (whether or not a party)) may at any time apply to a tribunal for directions on any matter arising in connection with the proceedings.

(3) An application under the foregoing provisions of this Rule shall be made by sending to the Secretary of the Tribunals a notice of application, which shall state the title of the proceedings and shall set out the grounds of the application.

(4) Subject to Rule 3(2), the Secretary of the Tribunals shall give notice to both or all the parties of any extension of time granted under Rule 11(2)(a) or any directions given in pursuance of this Rule.

Joinder of parties and representative proceedings

13.—(1) A tribunal may at any time upon the application of any person, whether an applicant or respondent or not, or of its own motion, direct that any person appearing to the tribunal to be directly interested in the subject of the originating application be added as a respondent, and give such consequential directions as it considers necessary.

(2) A tribunal may likewise, either upon such application or of its own motion, order that any respondent named in the originating application or subsequently added, who shall appear to the tribunal not to have been, or to have ceased to be, directly interested in the subject of the originating application, be dismissed from the proceedings.

(3) Where there are numerous persons having the same interest in an originating application, one or more of them may be cited as the person or persons against whom relief is sought, or may be authorised by the tribunal, before or at the hearing, to defend on behalf of all the persons so interested.

Notices, etc.

14.—(1) Any notice given under these Rules shall be in writing and all notices and documents required or authorised by these Rules to be sent or given to any person hereinafter mentioned may be sent by post (subject to paragraph (3)) or delivered to or at—

- (a) in the case of a document directed to the Secretary of the Tribunals, the Office of the Tribunals or such other office as may be notified by the Secretary of the Tribunals to the parties;
- (b) in the case of a document directed to the Department in proceedings to which it is not a party, the offices of the Department at Netherleigh, Massey Avenue, Belfast BT4 2JP or such other office as may be notified by the Department;
- (c) in the case of a document directed to a court, the office of the clerk of the court;
- (d) in the case of a document directed to a party, his address for service specified in the originating application or in a notice of appearance or in a notice under paragraph (2) or (if no address for service is so specified), his last known address or place of business in the United Kingdom or, if the party is a corporation, the corporation's registered or principal office;
- (e) in the case of a document directed to any person (other than a person specified in the foregoing provisions of this paragraph), his address or place of business in the United Kingdom, or if such a person is a corporation, the corporation's registered or principal office;

and if sent or given to the authorised representative of a party shall be deemed to have been sent or given to that party.

(2) A party may at any time by notice to the Secretary of the Tribunals and to the other party or parties (and, where appropriate, to the Department if it is not a party) change his address for service under these Rules.

(3) Where a document or notice is not delivered, the recorded delivery service shall be used in the following circumstances—

- (a) if under Rule 2(1) a second set of documents or notices is sent to a respondent who has not entered an appearance under Rule 3(1);
- (b) if an order is made under Rule 4(1)(c).

(4) Where for any sufficient reason service of any document or notice cannot be effected in the manner prescribed under this Rule, the President may make an order for substituted service in such manner as he may deem fit and such service shall have the same effect as service in the manner prescribed under this Rule.

(5) In relation to the matters specified in Rule 3(1), Rule 5, paragraphs (3), (4), (7) and (8) of Rule 8 and Rule 9(5), the Secretary of the Tribunals shall also send copies of all documents and notices (where appropriate) to the Department notwithstanding the fact that it may not be a party to the proceedings.

(6) In relation to the matters specified in paragraphs (3), (4), (7) and (8) of Rule 8 and Rule 9(5), the Secretary of the Tribunals shall also send copies of the relevant documents to the Commission in all cases under the Equal Pay Act (Northern Ireland) 1970⁽ⁱ⁾ or the Sex Discrimination (Northern Ireland) Order 1976.

EXPLANATORY NOTE

(This note is not part of the Regulations but is intended to indicate their general purport.)

These Regulations regulate the procedure of industrial tribunals for Northern Ireland in relation to all proceedings under any statutory provision instituted on or after 1st October 1976, except where under any statutory provision separate Rules of Procedure are applicable, e.g. under the Industrial Training Act (Northern Ireland) 1964 and the Selective Employment Payments Act (Northern Ireland) 1966.

They are in place of the Industrial Tribunals (Employment and Compensation) Regulations (Northern Ireland) 1967 (S.R. & O. 1967 No. 110), the Industrial Relations (Redundancy Payments) Regulations (Northern Ireland) 1967 (S.R. & O. 1967 No. 111) and the Industrial Relations (Equal Pay) Regulations (Northern Ireland) 1976 (S.R. 1976 No. 61).

The Regulations are necessary to make the Industrial Relations (Northern Ireland) Order 1976 effective upon its commencement and are made under Article 59 of that Order by virtue of section 16 of the Interpretation Act (Northern Ireland) 1954.

⁽ⁱ⁾ 1970 c. 32 (N.I.)