

1994 No. 148

**CONTRACTS OF EMPLOYMENT AND REDUNDANCY
PAYMENTS****Redundancy Payments (Local Government etc.) (Modification)
(Amendment) (No. 2) Order (Northern Ireland) 1994**

Made 14th April 1994

Coming into operation 16th May 1994

The Department of Economic Development(a), in exercise of the powers conferred on it by sections 58A(a) and 59(3) of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965(b) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Redundancy Payments (Local Government etc.) (Modification) (Amendment) (No. 2) Order (Northern Ireland) 1994 and shall come into operation on 16th May 1994.

(2) In this Order the “principal Order” means the Redundancy Payments (Local Government etc.) (Modification) Order (Northern Ireland) 1986(c).

Amendments to the principal Order

2. The principal Order shall be amended as follows—

(a) in Article 1(2) in the definition of “relevant event” after the third reference to “the Act” there shall be added—

“or, in relation to any person to whom this Order applies by reason of an amendment contained in the Redundancy Payments (Local Government etc.) (Modification) (Amendment) (No. 2) Order (Northern Ireland) 1994, any event occurring on or after the coming into operation of that Order on the happening of which an employee may become entitled to a redundancy payment in accordance with the provisions of the Act.”;

(b) in Article 4(3) for the words “Subject to paragraphs (4) and (5)” there shall be substituted the words “Subject to paragraphs (4), (5) and (6),”;

(a) Functions of the Ministry of Health and Social Services under the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 (1965 c. 19 (N.I.)) were transferred to the Department of Manpower Services by S.R. & O. (N.I.) 1973 No. 504 Article 6 and Schedule 3. The Department of Manpower Services is now known as the Department of Economic Development; see S.I. 1982/846 (N.I. 11) Article 3

(b) 1965 c. 19 (N.I.). Articles 58A and 59(3) were inserted by Article 108(1) of and paragraph 5(8) and (9) of Schedule 5 to the Industrial Relations (Northern Ireland) Order 1992, S.I. 1992/807 (N.I. 5)

(c) S.R. 1986 No. 206 as amended by S.R. 1987 No. 28 and S.R. 1994 No. 9

(c) after Article 4(5) there shall be added—

“(6) Where a period of employment of a person to whom this Order applies by reason of an amendment contained in the Redundancy Payments (Local Government etc.) (Modification) (Amendment) (No. 2) Order (Northern Ireland) 1994 falls to be computed in accordance with the provisions of the Act as modified by this Order, the provisions of this Order shall have effect in relation to any period whether falling wholly or partly before or after the coming into operation of that Order.”;

(d) in Schedule 1 after entry 40 there shall be added—

“41. The Northern Ireland Council for the Curriculum, Examinations and Assessment.”.

Sealed with the Official Seal of the Department of Economic Development on 14th April 1994.

(L.S.)

D. Gibson

Under Secretary

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order, which comes into operation on 16th May 1994, amends the Redundancy Payments (Local Government etc.) (Modification) Order (Northern Ireland) 1986 as amended (“the 1986 Order”). The 1986 Order modifies certain redundancy payments provisions of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 (“the 1965 Act”). The 1986 Order applies to persons who, immediately before the event on the happening of which they might become entitled to a redundancy payment, were employed by one of the employers listed in Schedule 1 to that Order. Such persons who have been successively employed by 2 or more of the employers referred to in paragraph 5 of Schedule 2 to that Order, will, for the purposes of determining their entitlement to a redundancy payment under the 1965 Act and the amount of such payment, have their service aggregated so that it counts as continuous employment.

This Order adds the Northern Ireland Council for the Curriculum, Examinations and Assessment to the list of employers to whose employees the 1986 Order applies.

1994 No. 149

Road Races (Tandragee 100) Order (Northern Ireland) 1994

This Order, being of a temporary character, is not printed at length in this volume.