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STATUTORY RULES OF NORTHERN IRELAND

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**1996 No. 173**

**Industrial Tribunals (Constitution and Rules of Procedure) Regulations (Northern Ireland) 1996**

**Interpretation**

2.—(1) In these Regulations—

“the Act of 1970” means the Equal Pay Act (Northern Ireland) 1970(1);

“applicant” means a person who presents an originating application or notice of appeal to the Secretary for a decision of a tribunal and includes—

- (a) the Department;
- (b) a claimant or complainant; and
- (c) in relation to an interlocutory application under a rule, a person who seeks any relief, and subject to paragraph (3) “appellant” shall be construed accordingly;

“the clerk” means the person appointed as clerk to the tribunal by the Secretary 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 Order of 1976;

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

“equal value claim” means a claim by an applicant which rests upon entitlement to the benefit of an equality clause by virtue of the operation of section 1(2)(c) of the Act of 1970(2);

“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 question;

“the Office of the Tribunals” means the Office of the Industrial Tribunals and the Fair Employment Tribunal;

“the No. 1 Order” means the Industrial Relations (Northern Ireland) Order 1976;

“the Order of 1976” means the Sex Discrimination (Northern Ireland) Order 1976(3);

“the Order of 1978” means the Health and Safety at Work (Northern Ireland) Order 1978(4);

“the Order of 1984” means the Industrial Training (Northern Ireland) Order 1984(5);

“the panel of chairmen” means the panel appointed under regulation 4(1)(a);

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(1) 1970 c. 32 (N.I.) as amended by S.R. 1984 No. 16  
(2) As inserted by S.R. 1984 No. 16 Article 2(1)  
(3) S.I. 1976/1042 (N.I. 15)  
(4) S.I. 1978/1043 (N.I. 9)  
(5) S.I. 1984/1159 (N.I. 9)

“the President” means the President of the Industrial Tribunals and the Fair Employment Tribunal or the person nominated by the Lord Chancellor under section 3(6) of the Fair Employment (Northern Ireland) Act 1989<sup>(6)</sup> to discharge the functions of the President;

“Register” means the Register of applications, appeals and decisions maintained in pursuance of regulation 7;

“rule” means a rule of procedure contained in the Schedules;

“the Secretary” means the person appointed to act as the Secretary of the Office of Tribunals; and

“tribunal” means an industrial tribunal; and

“Vice-President” means the Vice-President of the Industrial Tribunals and the Fair Employment Tribunal or the person nominated by the Lord Chancellor under section 3(6) of the Fair Employment (Northern Ireland) Act 1989 to discharge the functions of Vice-President.

(2) In these Regulations, in so far as they relate to the rules in Schedules 1 and 2—

“the Agency” means the Labour Relations Agency;

“expert” means a member of the panel of independent experts within the meaning of section 2A(4) of the Act of 1970<sup>(7)</sup>;

“the Order of 1988” means the Sex Discrimination (Northern Ireland) Order 1988<sup>(8)</sup>;

“report” means a report required by a tribunal to be prepared by an expert, pursuant to section 2A(1)(b) of the Act of 1970; and

“respondent” means a party to the proceedings before a tribunal other than the applicant.

(3) In these Regulations, in so far as they relate to the rules in Schedule 3—

“appellant” means a person who sends a notice of appeal to the Board;

“the Board” means in relation to an appeal the Construction Industry Training Board; and

“levy” means a levy imposed under the Order of 1984.

(4) In these Regulations, in so far as they relate to the rules in Schedule 4—

“decision” in relation to a tribunal includes a direction under rule 4 and any order which is not an interlocutory order;

“improvement notice” means a notice under Article 23 of the Order of 1978;

“inspector” means a person appointed under Article 21(1) of the Order of 1978;

“prohibition notice” means a notice under Article 24 of the Order of 1978; and

“respondent” means the inspector who issued the improvement notice or prohibition notice which is the subject of the appeal.

(5) In these Regulations, in so far as they relate to the rules in Schedule 5—

“decision” in relation to a tribunal includes a direction under Article 68(3) of the Order of 1976 and any other order which is not an interlocutory order; and

“non-discrimination notice” means a notice under Article 67 of the Order of 1976.

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(6) 1989 c. 32

(7) Section 2A was inserted by S.R. 1984 No. 16 Article 3(1)

(8) S.I. 1988/1303 (N.I. 13)