
STATUTORY RULES OF NORTHERN IRELAND

1998 No. 105

SEX DISCRIMINATION

**Equal Pay (Complaints to Industrial Tribunals)
(Armed Forces) Regulations (Northern Ireland) 1998**

Made - - - - 28th February 1998

To be laid before Parliament

Coming into operation 17th April 1998

In exercise of the powers conferred upon me by section 6A(6) of the Equal Pay Act (Northern Ireland) 1970(1), I hereby make the following Regulations:

1. These Regulations may be cited as the Equal Pay (Complaints to Industrial Tribunals) (Armed Forces) Regulations (Northern Ireland) 1998 and shall come into operation on 17th April 1998.

2.—(1) A person may present a complaint to an industrial tribunal under section 6A of the Equal Pay Act (Northern Ireland) 1970, notwithstanding that subsection (5) of that section would otherwise preclude the presentation of such a complaint, in any case to which paragraph (2) or (4) applies.

(2) This paragraph applies where—

(a) the person has made a complaint in respect of the same matter to an officer under the service redress procedures; and

(b) that complaint has not been withdrawn.

(3) For the purposes of paragraph 2(b), a person shall be treated as having withdrawn his complaint if, having made a complaint to an officer under the service redress procedures, he fails to submit that complaint to the Defence Council under those procedures.

(4) This paragraph applies where the complaint concerns a claim in respect of the contravention of a term of service relating to membership of, or rights under, any relevant scheme.

(5) In this regulation—

“occupational pension scheme” has the same meaning as in section 1 of the Pension Schemes (Northern Ireland) Act 1993(2); and

“relevant scheme” means—

(1) 1970 c. 32 (N.I.) Section 6A is inserted by Section 25 of the Armed Forces Act 1996 (c. 46)

(2) 1993 c. 49

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) any occupational pension scheme made under section 3 of the Naval and Marine Pay and Pensions Act 1865⁽³⁾;
- (b) the Army Pensions Warrant 1977; or
- (c) any occupational pension scheme made under section 2 of the Air Force (Constitution) Act 1917⁽⁴⁾.

Northern Ireland Office
28th February 1998

Majorie Mowlam
One of Her Majesty's Principal Secretaries of
State

⁽³⁾ 1865 c. 73
⁽⁴⁾ 1917 c. 51

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations, which come into operation on 17th April 1998, specify the circumstances in which a person may present a complaint to an industrial tribunal in respect of his service in the armed forces, notwithstanding that he would otherwise be precluded from making such a complaint by section 6A(5) of the Equal Pay Act (Northern Ireland) 1970 (which requires a person to go through the service redress procedures before making a complaint to an industrial tribunal).