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STATUTORY RULES OF NORTHERN IRELAND

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**2000 No. 122 (C. 4)**

**EMPLOYMENT**

**Employment Relations (1999 Order) (Commencement No. 3 and Transitional Provision) Order (Northern Ireland) 2000**

*Made* - - - -

*5th April 2000*

The Department of Higher and Further Education, Training and Employment, in exercise of the powers conferred by Articles 1(2) and 39(3) of the Employment Relations (Northern Ireland) Order 1999<sup>(1)</sup> and now vested in it<sup>(2)</sup>, and of every other power enabling it in that behalf, hereby makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Employment Relations (1999 Order) (Commencement No. 3 and Transitional Provision) Order (Northern Ireland) 2000.

(2) In this Order “the 1999 Order” means the Employment Relations (Northern Ireland) Order 1999.

**Commencement**

2. Subject to Article 3, Article 18 of, and Schedule 5 to, the 1999 Order (unfair dismissal of striking workers) shall come into operation on 24th April 2000.

**Transitional provision**

3. The amendments to the Employment Rights (Northern Ireland) Order 1996<sup>(3)</sup> made by Schedule 5 to the 1999 Order shall have effect in relation to protected industrial action taken by an employee only where the employee starts to take the action on or after 24th April 2000.

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(1) S.I. 1999/2790 (N.I. 9)

(2) The Departments (Transfer and Assignment of Functions) Order (Northern Ireland) 1999 (S.R. 1999 No. 481) transferred functions under the Employment Relations (Northern Ireland) Order 1999 to the Department of Higher and Further Education, Training and Employment

(3) S.I. 1996/1919 (N.I. 16)

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**Status:** *This is the original version (as it was originally made). Northern Ireland Statutory Rules are not carried in their revised form on this site.*

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Sealed with the Official Seal of the Department of Higher and Further Education, Training and Employment on 5th April 2000.

*R. B. Gamble*  
A senior officer of the  
Department of Higher and Further Education,  
Training and Employment

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## EXPLANATORY NOTE

*(This note is not part of the Order.)*

This Order brings into operation on 24th April 2000, Article 18 of, and Schedule 5 to, the Employment Relations (Northern Ireland) Order 1999. These provisions amend the Employment Rights (Northern Ireland) Order 1996 (“the 1996 Order”) to provide that an employee is regarded as unfairly dismissed for the purposes of Part XI of that Order if dismissed, in certain circumstances, because he or she took part in official industrial action. The provisions also make consequential amendments to Article 137 of the 1996 Order (unfair selection for redundancy). Article 3 of the Order provides that the changes apply only to the dismissal of employees who start to take industrial action beginning on or after 24th April 2000.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order.)*

The following provisions of the Employment Relations (Northern Ireland) Order 1999 have been brought into operation by commencement order made before the date of this Order:

<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Article 4 and Schedule 2	1.12.99	S.R. 1999 No. 470 (C. 35)
Article 5	1.12.99	S.R. 1999 No. 470 (C. 35)
Paragraphs (1) to (3) of Article 15	1.12.99	S.R. 1999 No. 470 (C. 35)
Article 20	1.12.99	S.R. 1999 No. 470 (C. 35)
Article 21 to 23	1.12.99	S.R. 1999 No. 470 (C. 35)
Article 24	1.12.99	S.R. 1999 No. 470 (C. 35)
Article 26	1.12.99	S.R. 1999 No. 470 (C. 35)
Article 29	1.12.99	S.R. 1999 No. 470 (C. 35)
Article 30	1.12.99	S.R. 1999 No. 470 (C. 35)
Article 31	1.12.99	S.R. 1999 No. 470 (C. 35)
Article 32	1.12.99	S.R. 1999 No. 470 (C. 35)
Article 33(4)	1.12.99	S.R. 1999 No. 470 (C. 35)
Article 34	1.12.99	S.R. 1999 No. 470 (C. 35)
Article 35(1) (partially)	1.12.99	S.R. 1999 No. 470 (C. 35)
Article 36	1.12.99	S.R. 1999 No. 470 (C. 35)
Article 37	1.12.99	S.R. 1999 No. 470 (C. 35)
Article 39	1.12.99	S.R. 1999 No. 470 (C. 35)
Schedule 7 (partially)	1.12.99	S.R. 1999 No. 470 (C. 35)

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<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Article 40 and Schedule 9 (partially)	1.12.99	S.R. 1999 No. 470 (C. 35)
Article 9 and Part I of Schedule 4	15.12.99	S.R. 1999 No. 470 (C. 35)
Article 10 and Part II of Schedule 4	15.12.99	S.R. 1999 No. 470 (C. 35)
Article 11 and Part III of Schedule 4	15.12.99	S.R. 1999 No. 470 (C. 35)
Article 27	15.12.99	S.R. 1999 No. 470 (C. 35)
Article 28 and Schedule 6	15.12.99	S.R. 1999 No. 470 (C. 35)
Article 40 and Schedule 9 (partially)	15.12.99	S.R. 1999 No. 470 (C. 35)
Article 33 paragraphs (1), (2), (3), (5) and (6)	02.02.00	S.R. 2000 No. 5 (C. 1)
Article 35 paragraph (1) (to the extent not already in operation), and paragraph (2)	02.02.00	S.R. 2000 No. 5 (C. 1)
Article 40 and Schedule 9 (partially)	02.02.00	S.R. 2000 No. 5 (C. 1)

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