

2002 No. 214 (C. 21)

EMPLOYMENT

**Employment Relations (1999 Order) (Commencement No. 5 and
Transitional Provision) Order (Northern Ireland) 2002**

Made 31st May 2002

The Department for Employment and Learning(a) in exercise of the powers conferred by Articles 1(2) and 39(3) of the Employment Relations (Northern Ireland) Order 1999(b) and now vested in it(c), 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. 5 and Transitional Provision) Order (Northern Ireland) 2002.

(2) In this Order—

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

Commencement

2. Subject to Article 3, Articles 12, 13, 14, 16 and 17 and paragraphs (4) to (6) of Article 15 of the 1999 Order (all of which relate to the right of a worker to be accompanied at disciplinary and grievance hearings) shall come into operation on 2nd June 2002.

Transitional provision

3. Article 12 of the 1999 Order shall not have effect in relation to a disciplinary or grievance hearing taking place on or after 2nd June 2002 if the worker is required or invited to attend the hearing before that date.

Sealed with the Official Seal of the Department for Employment and Learning on
31st May 2002.

(L.S.)

R. B. Gamble
A senior officer of the Department for
Employment and Learning

(a) Formerly known as the Department of Higher and Further Education, Training and Employment; renamed the Department for Employment and Learning by the Department for Employment and Learning Act (Northern Ireland) 2001 (c. 15)

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

(c) Article 4(b) and Part II of Schedule 2 of the Departments (Transfer and Assignment of Functions) Order (Northern Ireland) 1999 (S.R. 1999/481) transferred functions under the Employment Relations (Northern Ireland) Order 1999 from the Department of Economic Development to the Department of Higher and Further Education, Training and Employment, now renamed the Department for Employment and Learning

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order brings into operation on 2nd June 2002, Articles 12, 13, 14, 16 and 17 and paragraphs (4) to (6) of Article 15, of the Employment Relations (Northern Ireland) Order 1999, which provide for the right of a worker to be accompanied at disciplinary and grievance hearings by a single companion as specified by Article 12, regulate its exercise and prescribe the remedies open to the worker if the right is not observed by the employer. Article 3 provides that the only workers who may avail of the right to be accompanied prescribed by Article 12 of the 1999 Order are those who are required or invited on or after 2nd June 2002 to attend a disciplinary or grievance hearing.

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. Number</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)
Articles 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)
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)	2.02.00	S.R. 2000 No. 5 (C. 1)
Article 35 paragraph (1) (to the extent not already in operation), and paragraph (2)	2.02.00	S.R. 2000 No. 5 (C. 1)
Article 40 and Schedule 9 (partially)	2.02.00	S.R. 2000 No. 5 (C. 1)

<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.R. Number</i>
Article 18 and Schedule 5	24.04.00	S.R. 2000 No. 122 (C. 4)
Article 3 and Schedule 1	8.03.01	S.R. 2000 No. 373 (C. 17)
Article 7	8.03.01	S.R. 2000 No. 373 (C. 17)
Article 8	8.03.01	S.R. 2000 No. 373 (C. 17)
Article 25	8.03.01	S.R. 2000 No. 373 (C. 17)

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