

## SCHEDULE 2

### PART II

#### TRANSITIONAL PROVISIONS

4. Paragraph 1 of this Schedule applies where the relevant date (as defined in paragraph 3 of Schedule 11 to the Social Security Contributions and Benefits (Northern Ireland) Act 1992<sup>(1)</sup>) falls on or after 1st October 2002.

5.—(1) This paragraph applies to the dismissal of an employee employed under a contract for a fixed term of two years or more which consists of the expiry of the term without its being renewed, where the employee has agreed in accordance with Article 240 of the 1996 Order to exclude any right to a redundancy payment in that event.

(2) The repeal of Articles 240, 242(6) and 245(2)(d) of the 1996 Order provided for by paragraph 3(15) of this Schedule shall have effect in relation to a dismissal to which this paragraph applies where the relevant date (within the meaning of Article 180 of the 1996 Order) falls on or after 1st October 2002, unless both the following conditions are satisfied –

- (a) that, where there has been no renewal of the contract, the contract was entered into before 1st October 2002 or, where there have been one or more renewals, the only or most recent renewal was agreed before that date, and
- (b) that the agreement to exclude any right to a redundancy payment was entered into before 1st October 2002.

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(1) 1992 c. 7. Paragraph 2 of Schedule 11 has been amended by paragraph 42 of Schedule 1 to the Social Security (Incapacity for Work) (Northern Ireland) Order 1994