
STATUTORY RULES OF NORTHERN IRELAND

2004 No. 417

**The European Public Limited-Liability
Company Regulations (Northern Ireland) 2004**

PART III

EMPLOYEE INVOLVEMENT

CHAPTER 8

protection for members of the special negotiating body, etc.

Subsidiary provisions relating to unfair dismissal

43.—(1) In Article 137 of the 1996 Order (redundancy as unfair dismissal) in paragraph (1)(c) (which requires one of a specified group of paragraphs to apply for a person to be treated as unfairly dismissed)(1)

- (a) for “(7D)” substitute “(7E)”; and
- (b) after paragraph (7D) insert –

“(7E) This paragraph applies if the reason (or, if more than one, the principal reason) for which the employee was selected for dismissal was one specified in paragraph (3) or (6) of regulation 42 of the European Public Limited-Liability Company Regulations (Northern Ireland) 2004 (read with paragraphs (4) and (7) of that regulation).”.

(2) In Article 140(2) of the 1996 Order (exclusion of right: qualifying period of employment) in paragraph (3) (cases where no qualifying period of employment is required)(3) –

- (a) omit the word “or” at the end of sub-paragraph (l); and
- (b) after sub-paragraph (m) insert – “or
 - (n) paragraph (3) or (6) of regulation 42 of the European Public Limited-Liability Company Regulations (Northern Ireland) 2004 applies.”.

(3) In Article 141 of the 1996 Order (exclusion of right: upper age limit) in paragraph (2) (cases where the upper age limit does not apply)(4) –

- (a) omit the word “or” at the end of sub-paragraph (l); and
- (b) after sub-paragraph (m) insert – “or
 - (n) paragraph (3) or (6) of regulation 42 of the European Public Limited-Liability Company Regulations (Northern Ireland) 2004 applies.”.

(1) Article 137 has been amended on a number of occasions to specify additional circumstances in which an employee dismissed by reason of redundancy is to be regarded as unfairly dismissed

(2) Article 140(1) was amended by [S.R. 1999 No. 277](#)

(3) Article 140(3) has been amended on a number of occasions to specify additional cases in which no qualifying period of employment is required

(4) Article 141(2) has been amended on a number of occasions to specify additional cases where the upper age limit does not apply

Status: This is the original version (as it was originally made).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