
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 47

EMPLOYMENT

**The Information and Consultation of
Employees Regulations (Northern Ireland) 2005**

*Made - - - - 23rd February 2005
To be laid before Parliament under paragraph 7(3)
of the Schedule to the Northern Ireland Act 2000*

Coming into operation 6th April 2005

**THE INFORMATION AND CONSULTATION OF
EMPLOYEES REGULATIONS (NORTHERN IRELAND) 2005**

PART I

GENERAL

1. Citation and commencement
2. Interpretation
3. Application

PART II

EMPLOYEE NUMBERS AND ENTITLEMENT TO DATA

4. Calculation of number of employees
5. Entitlement to data
6. Complaint of failure to provide data

PART III

NEGOTIATED AGREEMENTS

7. Employee request to negotiate an agreement in respect of information and consultation
8. Pre-existing agreements: ballot for endorsement of employee request
9. Pre-existing agreements covering groups of undertakings
10. Complaint about ballot for endorsement of employee request
11. Employer notification of decision to start negotiations
12. Restrictions on employee request and employer notification

Status: This is the original version (as it was originally made).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

13. Dispute about employee request, employer notification or whether obligation in regulation 7(1) applies
14. Negotiations to reach an agreement
15. Complaints about election or appointment of negotiating representatives
16. Negotiated agreements
17. Complaints about ballot for employee approval of negotiated agreement

PART IV

STANDARD INFORMATION AND CONSULTATION PROVISIONS

18. Application of standard information and consultation provisions
19. Election of information and consultation representatives
20. Standard information and consultation provisions

PART V

DUTY OF CO-OPERATION

21. Co-operation

PART VI

COMPLIANCE AND ENFORCEMENT

22. Disputes about operation of a negotiated agreement or the standard information and consultation provisions
23. Penalties
24. Exclusivity of remedy

PART VII

CONFIDENTIAL INFORMATION

25. Breach of statutory duty
26. Withholding of information by the employer

PART VIII

PROTECTIONS FOR INFORMATION AND CONSULTATION REPRESENTATIVES, ETC.

27. Right to time off for information and consultation representatives, etc.
28. Right to remuneration for time off under regulation 27
29. Right to time off: complaint to industrial tribunals
30. Unfair dismissal
31. Subsidiary provisions relating to unfair dismissal
32. Detriment
33. Detriment: enforcement and subsidiary provisions
34. Conciliation

PART IX

MISCELLANEOUS

35. Industrial Court: proceedings
36. Labour Relations Agency

37. Restrictions on contracting out: general
 38. Restrictions on contracting out: Part VIII
 39. Crown employment
 40. Exception for merchant navy
- Signature
-

SCHEDULE APPLICATION OF REGULATIONS

1

SCHEDULE REQUIREMENTS FOR BALLOTS HELD UNDER
REGULATION 19

2

1. Ballot arrangements
 2. The requirements referred to in paragraph 1 are that —...
 3. Any employee or an employees' representative who believes that the...
 4. Where the Industrial Court finds the complaint well-founded it shall...
 5. An order under paragraph 4 shall specify the modifications to...
 6. A person is an independent ballot supervisor for the purposes...
 7. For the purposes of paragraph 3 the arrangements for the...
 8. Conduct of the ballot
 9. A ballot supervisor's appointment shall require that he —
 10. As soon as reasonably practicable after the date of the...
 11. A ballot supervisor shall publish a report ("an ineffective ballot...
 12. Where a ballot supervisor publishes an ineffective ballot report the...
 13. A ballot supervisor must publish an ineffective ballot report in...
 14. Where a ballot supervisor publishes an ineffective ballot report the...
 15. All costs relating to the holding of the ballot, including...
- Explanatory Note