

SCHEDULE 3

Regulation 19

Amendments to Legislation

1. In Article 20(1) of the Industrial Tribunals (Northern Ireland) Order 1996(1) (conciliation)—
 - (a) at the end of the second paragraph numbered (o) omit “or”, and
 - (b) before the full stop in paragraph (p) insert—
 - “, or
 - (q) under regulation 17 of the Cross-border Railway Services (Working Time) Regulations (Northern Ireland) 2008”.
- 2.—(1) The Employment Rights (Northern Ireland) Order 1996(2) is amended as follows.
 - (2) In Article 68A(5)(b) (right not to suffer detriment: working time cases) before the full stop insert—
 - “; and
 - (c) the Cross-border Railway Services (Working Time) Regulations (Northern Ireland) 2008”.
 - (3) In Article 132A(2)(b) (working time cases) before the full stop insert—
 - “; and
 - (c) the Cross-border Railway Services (Working Time) Regulations (Northern Ireland) 2008”.
 - (4) In Article 135(4)(d) (fairness in dismissal: assertion of statutory right) for “or the Fishing Vessels (Working Time: Sea-fisherman) Regulations 2004” substitute—
 - “, the Fishing Vessels (Working Time: Sea-fisherman) Regulations 2004 or the Cross-border Railway Services (Working Time) Regulations (Northern Ireland) 2008”.
3. In the Employment (Northern Ireland) Order 2003(n) at the end of each of the following Schedules(3)—
 - (a) Schedule 2 (tribunal jurisdictions to which Article 17 applies for adjustment of awards for non-completion of statutory procedure);
 - (b) Schedule 3 (tribunal jurisdictions to which Article 19 applies for complaints where the employee must first submit a statement of grievance to employer); and
 - (c) Schedule 4 (tribunal jurisdictions to which Article 27 applies in relation to proceedings where the employer has failed to give a statement of employment particulars),there is inserted—
 - “Regulation 17 of the Cross-border Railways Services (Working Time) Regulations (Northern Ireland) 2008 (breach of regulations)”.
4. In regulation 18 of the Working Time Regulations (Northern Ireland) 1998(4) (excluded sections) there is inserted at the end—

(1) S.I.1996/1921 (N.I. 18)

(2) S.I. 1996 /1919 (N.I. 16); Article 68A was inserted by regulation 31 (1) of the Working time Regulations (Northern Ireland) 1998 (S.R.) 1998 No. 386 (ithe 1998 Regulations) and amended by the Employment Relations (Northern Ireland) Order 1999, S.I. 1999/2790 (N.I. 9), article 20(3) and Schedule 9; Articles 132A and 135(4)(d) were inserted by regulation 32(1) and (2) of the 1998 Regulations, respectively. Those Articles were amended by paragraph 4 of Schedule 2 to the Merchant Shipping (Working Time: Inland Waterways) Regulations 2003, S.I. 2003/3049 and by paragraph 3 of Schedule 2 to the Fishing Vessels (Working Time: Sea fishermen) regulations 2004 S.I. 2004/1713

(3) S.I. 2003/2902 (N.I. 15); Schedules 2, 3 and 4 have been amended on a number of occasions to list additional jurisdictions

(4) S.R. 1998 No. 386; regulation 18 was substituted by the Working Time (Amendment No. 2) Regulations (Northern Ireland) 2003, S.R. No. 330: there are other amending instruments but none are relevant.

Status: *This is the original version (as it was originally made).*

“(5) Regulation 24 does not apply to workers to whom the Cross-border Railways Services (Working Time) Regulations (Northern Ireland) 2008 apply.”.