
EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints 3rd April 2011 as the day upon which the Code of Practice on Disciplinary and Grievance Procedures, issued in draft on 15th March 2011 by the Labour Relations Agency (LRA) under Articles 90(7) and (17) and 107(3) of the Industrial Relations (Northern Ireland) Order 1992, will come into effect. Article 3 provides that the LRA Code does not apply in circumstances where the statutory workplace grievance procedures apply. The repeal of statutory grievance procedures is subject to the transitional arrangements in the Employment Act (Northern Ireland) 2011 (Commencement No. 1, Transitional Provisions and Savings) Order (Northern Ireland) 2011 (S.R. 2011 No. 159 (C. 8)).

The Code of Practice replaces the Code of Practice on Disciplinary and Grievance Procedures which came into effect on 3rd April 2005 by virtue of the Code of Practice (Disciplinary and Grievance Procedures) (Appointed Day) Order (Northern Ireland) 2005 (S.R. 2005 No. 152). The revisions to the Code were carried out by the LRA under powers provided in Article 90(9) of the Industrial Relations (Northern Ireland) Order 1992. The Code was laid before the Assembly on 18th February 2011 in accordance with Article 90(6) of the Order.

A separate impact assessment has not been prepared for the LRA Code because it is part of a package of legislative and non-legislative measures relating to the new workplace dispute resolution framework. An impact assessment was prepared in relation to the package as a whole. Please refer to the Department for Employment and Learning's website www.delni.gov.uk or contact the Department directly for more information.