
STATUTORY RULES OF NORTHERN IRELAND

2012 No. 301

EMPLOYMENT

The Labour Relations Agency Arbitration
Scheme Order (Northern Ireland) 2012

Made - - - - - *26th July 2012*

Coming into operation *27th September 2012*

THE LABOUR RELATIONS AGENCY ARBITRATION
SCHEME ORDER (NORTHERN IRELAND) 2012

1. Citation and commencement
 2. Interpretation
 3. Revocations and savings
 4. Commencement of the Scheme
 5. Application of Part I of the Arbitration Act 1996
 6. Application of Terms of Reference
- Signature

SCHEDULE The Labour Relations Agency Arbitration Scheme

PART I — Introduction

1. The Labour Relations Agency Arbitration Scheme (“the Scheme”) is implemented...
2. The Scheme provides a voluntary alternative, in the form of...
3. Resolution of disputes under the Scheme is intended to be...
4. The Scheme also caters for requirements imposed as a matter...

PART II — The role of the LRA

5. As more fully explained below, cases enter the Scheme by...
6. Routing of communications
7. Paragraph 120 sets out the manner in which any document,...

PART III — Terms and abbreviations

8. In the Scheme – “claimant” means any person entitled to...
9. With the exception of paragraph 18(a) (“Requirements for entry into...

PART IV — Arbitrator’s Terms of Reference

10. Every agreement to refer a dispute to arbitration under this...

Status: This is the original version (as it was originally made).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

PART V — Scope of the Scheme

11. Cases that are covered by the Scheme
12. The Scheme does not extend to other kinds of claim...
13. Any claim other than a qualifying claim that forms part...
14. Waiver of jurisdictional issues
15. Accordingly, when agreeing to refer a dispute to arbitration under...
16. In agreeing to arbitration under the Scheme, the parties to...

PART VI — Access to the Scheme

17. The Scheme is an entirely voluntary system of dispute resolution,...
18. Requirements for entry into the Scheme
19. Where an agreement fails to satisfy any one of these...
20. Where: (a) a dispute concerning a qualifying claim as well...
21. Notification to the LRA of an Arbitration Agreement
22. For the purposes of paragraph 21, an Arbitration Agreement is...
23. Where an Arbitration Agreement is not notified to the LRA...
24. Any such hearing and award will be governed by the...
25. Consolidation of proceedings

PART VII — Settlement and withdrawal from the Scheme

26. Withdrawal by the claimant
27. Withdrawal by the respondent
28. Settlement
29. If such an agreement is reached: (a) upon the joint...
30. An agreed award shall state that it is an award...
31. In making an award by consent under paragraph 30, the...

PART VIII — Appointment of arbitrators

32. The LRA Arbitration Panel
33. Appointment to a case
34. Once the LRA has been notified of a valid Arbitration...
35. Arbitrators' duty of disclosure
36. Once appointed, and until the arbitration is concluded, every arbitrator...
37. Removal of an arbitrator
38. Applications under the Scheme to remove an arbitrator on any...
39. If the LRA refuses such an application, a party may...
40. (1) Section 24(1)(a) and (c), (2), (3), (5) and (6)...
41. The arbitrator may continue the proceedings and make an award...
42. Death of an arbitrator
43. Replacement of an arbitrator
44. Once appointed, the replacement arbitrator shall determine whether and, if...

PART IX — General duty of the arbitrator

45. The arbitrator shall: (a) act fairly and impartially as between...
46. The arbitrator shall comply with the general duty (see paragraph...

PART X — General duty of the parties

47. The parties shall do all things necessary for the proper...

PART XI — Confidentiality and privacy

48. Arbitrations, and all associated procedures under the Scheme, are strictly...
49. The arbitrator, the parties and an officer of the LRA...

PART XII — Arrangements for the hearing

50. Initial arrangements
51. Once an arbitrator has been appointed a hearing shall be...
52. The LRA, in conjunction with the arbitrator, shall decide the...

53. The LRA shall contact all parties with details of the...
54. Expedited hearings
55. Venue
56. Assistance
57. Travelling expenses or loss of earnings
58. No loss of earnings is payable by the LRA to...
59. Applications for postponements of initial hearings
60. If the application is rejected, the initial hearing will be...
61. This provision does not affect the arbitrator's general discretion with...
 - PART XIII — Non-compliance with procedure
 62. If a party fails to comply with any aspect of...
 - PART XIV — Outline of procedure before the hearing
 63. Once a hearing has been fixed, the following procedure shall...
 64. Written materials
 65. Supporting documentation or other material may include (where applicable and...
 66. The parties must also supply details of any relevant awards...
 67. Legible copies of documents must be supplied to the LRA...
 68. No information on the conciliation process, if any, in respect...
 69. Submissions, evidence and witnesses not previously notified
 70. All representatives and witnesses who have been listed as accompanying...
 71. Requests for documents
 72. Requests for attendance of witnesses
 73. Preliminary hearings and directions
 74. In the course of a preliminary hearing or through the...
 - PART XV — Outline of procedure at the hearing
 75. Arbitrator's overall discretion
 76. Administration
 77. Witnesses
 78. Examination by the arbitrator
 79. Representatives
 80. Strict rules of evidence
 81. Interim relief
 82. Non-attendance at the hearing
 83. In the case of the non-attendance of the claimant, if...
 84. Post-hearing written materials
 - PART XVI — Questions of EC Law and the Human Rights Act 1998
 85. Appointment of legal adviser
 86. The legal adviser will be appointed by the LRA, to...
 87. The arbitrator shall allow the legal adviser to attend the...
 88. The parties shall be given a reasonable opportunity to comment...
 89. Court determination of preliminary points
 - PART XVII — Awards
 90. Form of the award
 91. The award (unless it is an award by consent under...
 92. Awards on different issues
 93. The arbitrator may, in particular, make an award relating:
 94. If the arbitrator does so, he or she shall specify...
 95. Remedies
 96. (1) The remedies available to the arbitrator shall be those...
 - PART XVIII — Issue of awards and confidentiality

