



Fair Employment (Northern Ireland) Act 1976

1976 CHAPTER 25

PART VI

MISCELLANEOUS

Construction of references to employment or occupation in Northern Ireland

49 Meaning of " employment in Northern Ireland" and " occupation in Northern Ireland "

- (1) For the purposes of this Act, employment is to be regarded as being employment in Northern Ireland unless the employee does his work wholly or mainly outside Northern Ireland.
- (2) Subsection (1) does not apply to—
 - (a) employment on board a ship registered at a port of registry in Northern Ireland, or
 - (b) employment on an aircraft or hovercraft operated by a person who has his principal place of business, or is ordinarily resident, in Northern Ireland ;but for the purposes of this Act such employment is to be regarded as being employment in Northern Ireland unless the employee does his work wholly outside Northern Ireland.
- (3) In relation to employment concerned with the exploration of the sea bed or subsoil or the exploitation of their natural resources, the Department may by order provide that subsections (1) and (2) shall each have effect as if the last reference to Northern Ireland included any area for the time being designated under section 1(7) of the Continental Shelf Act 1964, or any part of such an area, in which the law of Northern Ireland applies.

Status: This is the original version (as it was originally enacted).

- (4) An order under subsection (3) may provide that, in relation to employment to which the order applies or any class of such employment, this Act is to have effect with such modifications as are specified in the order.
- (5) The power to make an order under subsection (3) includes power to vary or revoke the order.
- (6) The Department shall not make an order under subsection (3) unless a draft of the order has been laid before, and has been approved by, the Northern Ireland Assembly.
- (7) During the interim period subsection (6) shall not apply, but an order under subsection (3) shall be subject to annulment in pursuance of a resolution of either House of Parliament in like manner as a statutory instrument, and section 5 of the Statutory Instruments Act 1946 shall apply accordingly.
- (8) In this section references to the work an employee does include, in relation to a person who is seeking employment or a person who has ceased to be in employment, references to, respectively, the work he would do if employed or the work he did when employed.
- (9) This section has effect for construing references in this Act to a person's being engaged, or seeking to become engaged, in an occupation in Northern Ireland as if references in this section to employment were references to an occupation and references to an employee were to a person engaged, or seeking to become engaged, in an occupation.