

SCHEDULE

Regulation 3

AMENDMENTS TO LEGISLATION

- 1.—(1) The Employment Tribunals Act 1996 ^{M1} is amended as follows.
- (2) In section 18(1) (cases where conciliation provisions apply)—
- (a) omit the “or” at the end of paragraph (w) ;
 - (b) at the end of paragraph (x) insert “ , or ”;
 - (c) after paragraph (x) insert—
“*(y)* under regulation 22 of the Merchant Shipping (Hours of Work) Regulations 2002.”.
- (3) In section 21(1) (jurisdiction of the Appeal Tribunal)—
- (a) omit the “or” at the end of paragraph (x) ;
 - (b) at the end of paragraph (y) insert “ , or ”;
 - (c) after paragraph (y) insert—
“*(z)* the Merchant Shipping (Hours of Work) Regulations 2002.”.

Marginal Citations

M1 1996 c.17. Sections 18 and 21 were amended by section 1 of the [Employment Rights \(Dispute Resolution\) Act 1998 \(c.8\)](#). Section 18 was also amended by section 5 of the [Employment Act 2008 \(c. 24\)](#) and section 21 by [S.I. 1998/1833](#). Extensive amendments to section 18 were made by Schedule 1 to the [Enterprise and Regulatory Reform Act 2013 \(c.24\)](#) but these are not yet in force or not yet in force for relevant purposes. There are other amendments to sections 18 and 21 which are not relevant to these Regulations.

- 2.—(1) The Employment Rights Act 1996 ^{M2} is amended as follows.
- (2) In section 45A(5) (right not to suffer detriment: working time cases) after paragraph (c) insert—
“*(d)* the Merchant Shipping (Hours of Work) Regulations 2002.”.
- (3) In section 101A(2) (fairness in dismissal: working time cases) after paragraph (c) insert—
“*(d)* the Merchant Shipping (Hours of Work) Regulations 2002.”.
- (4) In section 104(4) (fairness in dismissal: assertion of statutory right), in paragraph (d), after “the Working Time Regulations 1998,” insert “ the Merchant Shipping (Hours of Work) Regulations 2002, ”.

Marginal Citations

M2 1996 c.18. Section 45A was inserted by [S.I. 1998/1833](#) and subsection (5) was inserted by [S.I. 2003/3049](#) and amended by [S.I. 2004/1713](#) and [S.I. 2008/1660](#). Section 101A was inserted by [S.I. 1998/1833](#) and subsection (2) was inserted by [S.I. 2003/3049](#) and amended by [S.I. 2004/1713](#) and [S.I. 2008/1660](#). Section 104(4)(d) was inserted by [S.I. 1998/1833](#) and amended by [S.I. 2004/1713](#) and [S.I. 2008/1660](#).

- 3.—(1) The Employment Rights (Northern Ireland) Order 1996 ^{M3} is amended as follows.
- (2) In Article 68A(5) (rights not to suffer detriment: working time cases)—

Changes to legislation: There are currently no known outstanding effects for the *The Merchant Shipping (Maritime Labour Convention) (Hours of Work) (Amendment) Regulations 2014, SCHEDULE*. (See end of Document for details)

- (a) omit the “and” at the end of sub-paragraph (b);
 - (b) at the end of sub-paragraph (c) insert “ ; and ”;
 - (c) after sub-paragraph (c) insert—
 - “(d) the Merchant Shipping (Hours of Work) Regulations 2002.”.
- (3) In Article 132A(2) (right not to be unfairly dismissed: working time cases)—
- (a) omit the “and” at the end of sub-paragraph (b);
 - (b) at the end of sub-paragraph (c) insert “ ; and ”;
 - (c) after sub-paragraph (c) insert—
 - “(d) the Merchant Shipping (Hours of Work) Regulations 2002.”.
- (4) In Article 135(4) (right not to be unfairly dismissed: assertion of statutory right), in sub-paragraph (d), after “the Working Time Regulations (Northern Ireland) 1998,” insert “ the Merchant Shipping (Hours of Work) Regulations 2002, ”.

Marginal Citations

M3 [S.I. 1996/1919 \(N.I. 16\)](#). Article 68A was inserted by S.R. [1998 No. 386](#) and Article 68A(5) was inserted by [S.I. 2003/3049](#). Article 132A was inserted by S.R. [1998 No. 386](#) and Article 132A(2) was inserted by [S.I. 2003/3049](#). Article 135(4)(d) was inserted by [S.I. 2004/1713](#). There are other instruments amending Articles 68A, 132A and 135 which are not relevant to these Regulations.

- 4.—(1) The Industrial Tribunals (Northern Ireland) Order 1996 ^{M4} is amended as follows.
- (2) In Article 20(1) (cases where conciliation provisions apply)—
- (a) omit the “or” at the end of sub-paragraph (s);
 - (b) at the end of sub-paragraph (t) insert “ , or ”;
 - (c) after sub-paragraph (t) insert—
 - “(u) under regulation 21 of the Merchant Shipping (Hours of Work) Regulations 2002.”

Marginal Citations

M4 [S.I. 1996/1921 \(N.I. 18\)](#). Article 20 was amended by Schedule 2 to [S.I. 2002/2836 \(N.I. 2\)](#) and section 8 of the [Employment Act \(Northern Ireland\) 2011 \(c.13 \(N.I.\)\)](#); there are other amending instruments which are not relevant to these Regulations.

- 5.—(1) The Working Time Regulations 1998 ^{M5} are amended as follows.
- (2) In regulation 18(1) (excluded sectors) for sub-paragraph (a) substitute—
- “(a) to workers to whom the Merchant Shipping (Hours of Work) Regulations 2002 apply.”.

Marginal Citations

M5 [S.I. 1998/1833](#). Regulation 18(1) was amended by [S.I. 2003/1684](#), [S.I. 2003/3049](#) and [S.I. 2004/1713](#).

- 6.—(1) The Working Time Regulations (Northern Ireland) 1998 ^{M6} are amended as follows.

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(2) In regulation 18(1) (excluded sectors) for sub-paragraph (a) substitute—

“(a) to workers to whom the Merchant Shipping (Hours of Work) Regulations 2002 apply.”.

Marginal Citations

M6 S.R. 1998 No. 386. Regulation 18(1) was amended by S.R. 2003 No.330, S.I. 2003/3049 and S.I. 2004/1713.

Changes to legislation:

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