
STATUTORY INSTRUMENTS

1993 No. 2668

The Industrial Relations (Northern Ireland) Order 1993

Employment rights

Application of No. 1 and No. 2 Orders to armed forces

10.—(1) The provisions which apply, by virtue of Article 9, to service as a member of the naval, military or air forces of the Crown are—

- (a) in the No. 1 Order—
 - (i) Articles 20 to 41 (except Article 22B);
 - (ii) Article 48; and
 - (iii) Part V;
- (b) in the No. 2 Order—
 - (i) Articles 9 to 13;
 - (ii) Articles 14 to 32;
 - (iii) Article 41A;
 - (iv) Articles 43 to 47;
 - (v) Article 49; and
 - (vi) Part IV.

(2) The Secretary of State may by order—

- (a) amend paragraph (1) by making additions to, or omissions from, the provisions for the time being specified in that paragraph; and
- (b) make any provision apply to service as a member of the naval, military or air forces of the Crown subject to such exceptions and modifications as may be specified in the order.

(3) Subject to paragraph (5), modifications made under paragraph (2) may include provision precluding the making of a complaint or reference to any industrial tribunal unless the person aggrieved has availed himself of the service procedures for the redress of complaints applicable to him.

(4) Where modifications include the provision authorised by paragraph (3) the order shall also include provision designed to secure that the service procedures for the redress of complaints result in a determination, or what is to be treated under the order as a determination, in sufficient time to enable a complaint or reference to be made to an industrial tribunal.

(5) No provision shall be made by virtue of paragraph (3) which has the effect of substituting, for any period specified as the normal period for a complaint or reference on any matter to an industrial tribunal, a period longer than six months.

(6) No order shall be made under paragraph (2) unless a draft of the order has been laid before, and approved by a resolution of, the Assembly.

(7) In this Article—

Status: This is the original version (as it was originally made).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

“the normal period for a complaint or reference”, in relation to any matter within the jurisdiction of an industrial tribunal, means the period specified in the relevant statutory provision as the period within which the complaint or reference must be made, disregarding any provision permitting an extension of that period at the discretion of the tribunal; and

“the service procedures for the redress of complaints” means the procedures, excluding those which relate to the making of a report on a complaint to Her Majesty, referred to in sections 180 and 181 of the Army Act 1955⁽¹⁾, sections 180 and 181 of the Air Force Act 1955⁽²⁾ and section 130 of the Naval Discipline Act 1957⁽³⁾.

(1) 1955 c. 18
(2) 1955 c. 19
(3) 1957 c. 53