

SCHEDULES

SCHEDULE 7

TRANSITIONAL PROVISIONS AND SAVINGS

Wages Councils

3.—(1) Notwithstanding the repeal of Part III of the Wages (Northern Ireland) Order 1988(1) by Article 13, the provisions of that Part specified or referred to below shall continue to have effect, on and after the day on which that Article comes into operation (“the appointed day”), in accordance with the following provisions.

(2) Article 17 (effect and enforcement of wages orders under Article 15) shall have effect in relation to a failure occurring or continuing on or after the appointed day to pay, with respect to any period ending before that day, an amount equal to or exceeding the statutory minimum remuneration as it has effect in relation to such a failure before the appointed day; and, subject to the following provisions, the other Articles of Part III which relate to Article 17 shall continue to have effect accordingly.

(3) Article 20(1) and (4) (obligation to keep records etc.) shall have effect on and after the appointed day as if—

- (a) the reference to the provisions of Part III being complied with in relation to the payment of remuneration were a reference to their having been complied with in relation to payments of remuneration made—
 - (i) before the appointed day; or
 - (ii) on or after the appointed day with respect to any period ending before that day;
- (b) the reference to deductions or payments made were references to deductions or payments so made; and
- (c) in a case where the three-year retention period for records would end after the expiry of the period of six months beginning with the appointed day, the retention period were—
 - (i) that period of six months; or
 - (ii) if within that period of six months a court so orders, such longer period as is specified by the court;

and, subject to the following provisions, the other Articles of Part III which relate to Article 20 shall continue to have effect accordingly.

(4) Article 21 (officers) shall continue to have effect on and after the appointed day for the purposes of this paragraph; but—

- (a) the powers conferred by paragraphs (3) and (4) shall not be exercisable after the end of the period of six months beginning with the appointed day; and
- (b) paragraph (6) shall not authorise the institution of proceedings by an officer after the end of the period of six months beginning with the appointed day.

(1) 1988 NI 7

Status: This is the original version (as it was originally made).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

(5) Paragraph 4 of Schedule 3 shall continue to have effect on and after the appointed day in relation to orders under Article 15 made before that day.

(6) In the operation of any provision of Part III by virtue of this paragraph, references to a wages order applying shall have effect as references to an order under Article 15 having applied at any time before the appointed day.