
STATUTORY INSTRUMENTS

2003 No. 2902

The Employment (Northern Ireland) Order 2003

PART II

INDUSTRIAL TRIBUNAL REFORM

Conciliation

3.—(1) In Article 9 of the Industrial Tribunals Order (industrial tribunal procedure regulations), in paragraph (3)(f) (power to prescribe the procedure to be followed in proceedings before an industrial tribunal), before sub-paragraph (ii) there shall be inserted—

“(ia) for postponing fixing a time and place for a hearing, or postponing a time fixed for a hearing, for such period as may be determined in accordance with the regulations for the purpose of giving an opportunity for the proceedings to be settled by way of conciliation and withdrawn, and”.

(2) In Article 20 of that Order (conciliation), after paragraph (2) there shall be inserted—

“(2A) Where industrial tribunal procedure regulations include provision postponing the fixing of a time and place for a hearing for the purpose of giving an opportunity for the proceedings to be settled by way of conciliation and withdrawn, paragraph (2) shall have effect from the end of the postponement to confer a power on the Agency, instead of imposing a duty.”

(3) In Article 21 of that Order (conciliation procedure), paragraph (c) (which requires industrial tribunal procedure regulations, in relation to conciliation cases, to include provision postponing the hearing to give an opportunity for conciliation) shall cease to have effect.

(4) In that Article, the existing provision (as amended by paragraph (3)) shall become paragraph (1) and at the end there shall be inserted—

“(2) If industrial tribunal procedure regulations include provision postponing the fixing of a time and place for a hearing for the purpose of giving an opportunity for the proceedings to be settled by way of conciliation and withdrawn, they shall also include provision for the parties to proceedings to which the provision for postponement applies to be notified that the services of the Agency may no longer be available to them after the end of the postponement.”.