1992 No. 76

INDUSTRIAL RELATIONS

Unfair Dismissal (Increase of Limits of Basic and Special Awards) Order (Northern Ireland) 1992

Made		*2nd March 1992*
Coming into operation . .		*1st April 1992*

The Department of Economic Development(a), in exercise of the powers conferred on it by Articles 34(5B), 37A(7)(b) and 80(3) of the Industrial Relations (Northern Ireland) Order 1976(c) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Unfair Dismissal (Increase of Limits of Basic and Special Awards) Order (Northern Ireland) 1992 and shall come into operation on 1st April 1992.

Interpretation

2. In this Order—

"the Order of 1976" means the Industrial Relations (Northern Ireland) Order 1976;

"the Order of 1991" shall be construed in accordance with Article 4; and

"effective date of termination" has the same meaning as in Article 21(4) of the Order of 1976 except in a case in which Article 21(5) or (6)(d) of that Order would have effect so as to treat a later date as the effective date of termination in which case that later date shall be the effective date of termination for the purpose of this Order.

Increase of limits

3. Subject to Article 5, in the Order of 1976—

(*a*) the minimum award of £2,650(e) provided for by Article 34(5A)(f) is increased to £2,700;

(*b*) the sums of £13,180 and £26,290(e) specified in Article 37A(1) are increased respectively to £13,400 and £26,800; and

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(a) Formerly the Department of Manpower Services: *see* S.I. 1982/846 (N.I. 11) Article 3
(b) Paragraph (5B) of Article 34 and Article 37A were inserted respectively by Articles 6(1) and 7(3) of S.I. 1987/936 (N.I. 9)
(c) S.I. 1976/1043 (N.I. 16)
(d) Article 21(5) and (6) were substituted by S.I. 1987/936 (N.I. 9) Article 25(1) and Schedule 3 paragraph 4
(e) The sums referred to in Articles 34(5A), 37A(1) and 37A(2) of the Order of 1976 were substituted by the Order of 1991
(f) Article 34(5A) was inserted by Article 6(1) of S.I. 1987/936 (N.I. 9)

(*c*) the sum of £19,735(**a**) specified in Article 37A(2) is increased to £20,100.

Revocation of the Order of 1991

4. Subject to Article 5(2), the Unfair Dismissal (Increase of Limits of Basic and Special Awards) Order (Northern Ireland) 1991(**b**) (''the Order of 1991'') is hereby revoked.

Transitional provisions

5.—(1) The increases specified in Article 3 shall have effect in any case where the effective date of termination falls on or after 1st April 1992.

(2) Notwithstanding the revocation of the Order of 1991 the limits set or, as the case may be, preserved by Articles 3 and 5 of that Order shall continue to have effect as if this Order had not been made in any case where the effective date of termination falls before 1st April 1992.

Sealed with the Official Seal of the Department of Economic Development on 2nd March 1992.

(L.S.)   *R. B. Spence*
                                        Under Secretary

(**a**)   The sums referred to in Articles 34(5A), 37A(1) and 37A(2) of the Order of 1976 were substituted by the Order of 1991
(**b**)   S.R. 1991 No. 66

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order, which comes into operation on 1st April 1992, increases from £2,650 to £2,700 the minimum basic award (before appropriate reductions) and increases the limits of £13,180, £26,290 and £19,735 to £13,400, £26,800 and £20,100 respectively, applicable to the calculation of the special award.

The minimum basic award and the special award are relevant to dismissals relating to trade union membership which are to be regarded as unfair by virtue of Articles 22A or 22C(*a*) of the Industrial Relations (Northern Ireland) Order 1976. The revised Article 22A and new Article 22C were inserted into that Order by Article 5 of the Industrial Relations (Northern Ireland) Order 1987.

The increases specified in this Order apply where the effective date of termination (as defined in Article 2) falls on or after 1st April 1992. If the effective date of termination falls before that date the former limits continue to apply.