
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 47

The Information and Consultation of
Employees Regulations (Northern Ireland) 2005

PART IX
MISCELLANEOUS

Labour Relations Agency

36.—(1) If on receipt of an application or complaint under these Regulations the Industrial Court is of the opinion that it is reasonably likely to be settled by conciliation or other assistance provided by the Agency in accordance with paragraph (2), it shall refer the application or complaint to the Agency and shall notify the applicant or complainant and any persons whom it considers have a proper interest in the application or complaint accordingly.

(2) Where the Industrial Court refers an application or complaint to the Agency under paragraph (1), Article 84 of the 1992 Order (functions of the Agency in relation to trade disputes) shall apply, and the Agency may assist the parties to achieve a settlement, as if –

- (a) the dispute or difference between the parties amounted to a trade dispute as defined in Article 127 of the Trade Union and Labour Relations (Northern Ireland) Order 1995(1); and
- (b) the parties to the application or complaint had requested the assistance of the Agency under Article 84 of the 1992 Order.

(3) If the Agency does not consider it appropriate to offer its assistance in accordance with paragraph (2) it shall inform the Industrial Court.

(4) If the Agency has offered the parties its assistance in accordance with paragraph (2), the application or complaint referred has not thereafter been settled or withdrawn, and the Agency is of the opinion that no provision or further provision of its assistance is likely to result in a settlement or withdrawal, it shall inform the Industrial Court of its opinion.

(5) If –

- (a) an application or complaint is not referred to the Agency; or
- (b) it is so referred, but the Agency informs the Industrial Court as mentioned in paragraph (3) or (4),

the Industrial Court shall proceed to hear and determine the application or complaint.