

2007 No. 102

INDUSTRIAL TRIBUNALS

SEX DISCRIMINATION

DISABILITY DISCRIMINATION

**The Industrial Tribunals (Interest on Awards in Sex and
Disability Discrimination Cases) (Amendment) Regulations
(Northern Ireland) 2007**

Made - - - -

15th February 2007

Coming into operation -

6th April 2007

The Department for Employment and Learning^(a), being a Department designated for the purposes of section 2(2) of the European Communities Act 1972^(b) in relation to discrimination^(c), in exercise of the powers conferred by section 2(2) of the Act, and of the powers conferred by section 17A(6) and (7) of the Disability Discrimination Act 1995^(d) and now vested in it^(e), makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Industrial Tribunals (Interest on Awards in Sex and Disability Discrimination Cases) (Amendment) Regulations (Northern Ireland) 2007 and shall come into operation on 6th April 2007.

(2) The Interpretation Act (Northern Ireland) 1954^(f) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendments

2. In the Industrial Tribunals (Interest on Awards in Sex and Disability Discrimination Cases) Regulations (Northern Ireland) 1996^(g)—

(1) in regulation 1(2), for the definition of “an award under the relevant legislation”, substitute—

““an award under the relevant legislation” means—

(a) Formerly the Department of Higher and Further Education, Training and Employment; *see* 2001 c. 15 (N.I.)

(b) 1972 c. 68

(c) *See* the European Communities (Designation) (No. 3) Order 2002 (S.I. 2002/1819)

(d) 1995 c. 50. Section 17A, formerly section 8, was renumbered by regulation 9 and subsection (7) was modified by regulation 9(2)(e) of the Disability Discrimination Act 1995 (Amendment) Regulations (Northern Ireland) 2004 (S.R. 2004 No. 55)

(e) *See* S.R. 1999 No. 481 Departments (Transfer and Assignment of Functions) Order (Northern Ireland) 1999

(f) 1954 c. 33 (N.I.)

(g) S.R. 1996 No. 581

- (a) an award under the 1970 Act of arrears of remuneration or damages; or
- (b) an order under Article 65(1)(b) of the 1976 Order or section 17A(2)(b) of the 1995 Act for payment of compensation,

but does not include an award in respect of—

- (i) costs under rules 38 to 40 and 47 of Schedule 1 to the Industrial Tribunals (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2005(a);
 - (ii) allowances under rules 38 and 40 of that Schedule; or
 - (iii) preparation time under rules 42 to 44 and 47 of that Schedule,
- even if that award is made in the same proceedings as an award described in paragraph (a) or an order described in paragraph (b);”;

(2) in regulations 5(2), 6 and 7(1)(a), after “discrimination” insert “or harassment”.

Sealed with the Official Seal of the Department for Employment and Learning on 15th February 2007.



D. S. S. McAuley
A senior officer of the
Department for Employment and Learning

(a) S.R. 2005 No. 150

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Industrial Tribunals (Interest on Awards in Sex and Disability Discrimination Cases) Regulations (Northern Ireland) 1996 (“the 1996 Regulations”). The amendments are technical in nature. They concern interest on awards that may be made by industrial tribunals.

Regulation 2(1) makes it clear that an award on which interest is calculated in sex or disability discrimination cases does not include an award in respect of costs, allowances or preparation time under the rules of procedure governing industrial tribunals.

Regulation 2(2) amends the 1996 Regulations to reflect industrial tribunals’ power to deal with complaints of harassment as well as of discrimination.