

## SCHEDULE 4

### REVOCATION AND CONSEQUENTIAL AMENDMENTS

#### Regulation 2(2)

## PART 2

### Consequential amendments

1. In Article 2(1) of the Fair Employment Tribunal (Remedies) Order (Northern Ireland) 1995<sup>(1)</sup>, for the definition of “an award under the Act”, substitute—

““an award under the Act” means an order under Article 39(1)(b) of the Fair Employment and Treatment (Northern Ireland) Order 1998 for payment of compensation, but does not include an award in respect of costs, allowances or preparation time under Part 13 of Schedule 1 to the Industrial Tribunals and Fair Employment Tribunal (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2020, even if that award is made in the same proceedings as such an order;”.

2. In regulation 1(2) of the Industrial Tribunals (Interest on Awards in Sex and Disability Discrimination Cases) Regulations (Northern Ireland) 1996<sup>(2)</sup>, in the definition of “an award under the relevant legislation”<sup>(3)</sup>, from “but does not include” to the end, substitute “but does not include an award in respect of costs, allowances or preparation time under Part 13 of Schedule 1 to the Industrial Tribunals and Fair Employment Tribunal (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2020, even if that award is made in the same proceedings as an award described in paragraph (a) or an order described in paragraph (b);”.

3. In Article 1(2) of the Race Relations (Interest on Awards) Order (Northern Ireland) 1997<sup>(4)</sup>, for the definition of “an award under the Order”, substitute—

““an award under the Order” means an order under Article 53(1)(b) of the Order for payment of compensation, but does not include an award in respect of costs, allowances or preparation time under Part 13 of Schedule 1 to the Industrial Tribunals and Fair Employment Tribunal (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2020, even if that award is made in the same proceedings as such an order;”.

4. In regulation 1(2) of the Industrial Tribunals (Interest on Awards in Sexual Orientation Discrimination Cases) Regulations (Northern Ireland) 2003<sup>(5)</sup>, for the definition of “an award under the Regulations”, substitute—

““an award under the Regulations” means an order under regulation 36(1)(b) of the Regulations for payment of compensation, but does not include an award in respect of costs, allowances or preparation time under Part 13 of Schedule 1 to the Industrial Tribunals and Fair Employment Tribunal (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2020, even if that award is made in the same proceedings as such an order;”.

5. In regulation 3(1) of the Gangmasters (Appeals) Regulations (Northern Ireland) 2006<sup>(6)</sup>, for “the panel of chairmen appointed under the Industrial Tribunals (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2005”, substitute “the panel of employment judges

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(1) S.R. 1995 No. 240.

(2) S.R. 1996 No. 581.

(3) The definition was substituted by S.R. 2007 No. 102, regulation 2(1).

(4) S.R. 1997 No. 320.

(5) S.R. 2003 No. 498.

(6) S.R. 2006 No. 189.

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appointed under the Industrial Tribunals and Fair Employment Tribunal (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2020”.

6. In regulation 1(2) of the Industrial Tribunals (Interest on Awards in Age Discrimination Cases) Regulations (Northern Ireland) 2006<sup>(7)</sup>, for the definition of “an award under the Age Regulations”, substitute—

““an award under the Age Regulations” means an order under regulation 43(1)(b) of the Age Regulations for payment of compensation, but does not include an award in respect of costs, allowances or preparation time under Part 13 of Schedule 1 to the Industrial Tribunals and Fair Employment Tribunal (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2020, even if that award is made in the same proceedings as such an order;”.

7. In Schedule 8 to the REACH Enforcement Regulations 2008<sup>(8)</sup>—

(a) in paragraph (4) for “Schedule 5 to the Industrial Tribunals (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2005”, substitute “Rule 102 of Schedule 1 to the Industrial Tribunals and Fair Employment Tribunal (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2020”;

(b) in paragraph (5) for “Schedule 5” substitute “Schedule 1”.

8. In regulation 11(2)(b) of the Health and Safety (Fees) Regulations (Northern Ireland) 2012<sup>(9)</sup>, for “regulation 12(1) and (3)(c) of, and Schedules 1 and 5 to, the Industrial Tribunals (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2005”, substitute “rule 102 of Schedule 1 to the Industrial Tribunals and Fair Employment Tribunal (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2020”.

9. In regulation 27(4) of the Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013<sup>(10)</sup>, for “Schedule 5 to the Industrial Tribunals (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2005”, substitute “Rule 102 of Schedule 1 to the Industrial Tribunals and Fair Employment Tribunal (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2020”.

10. For sub-paragraph (ba)<sup>(11)</sup> of paragraph 2 of Schedule 5 to the Public Service Pensions Act (Northern Ireland) 2014<sup>(12)</sup>, substitute—

“(ba) a member of a panel of employment judges appointed in accordance with regulation 7(1)(a) of the Industrial Tribunals and Fair Employment Tribunal (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2020;”.

11. In the Schedule to the Public Service Pensions Act (Northern Ireland) 2014 (Judicial Offices) Order (Northern Ireland) 2015<sup>(13)</sup>—

(a) omit “Member of a panel of chairmen appointed under Article 82 of the Fair Employment and Treatment (Northern Ireland) Order 1998.”;

(b) omit “Member of a panel of chairmen appointed under regulation 4(1)(a) of the Industrial Tribunals (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2005”;

(c) before “President or other member of the Lands Tribunal, where that office is held on a salaried basis”, insert “Member of a panel of employment judges appointed in accordance with regulation 7(1)(a) of the Industrial Tribunals and Fair Employment Tribunal (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2020.”.

<sup>(7)</sup> S.R. 2006 No. 262.

<sup>(8)</sup> S.I. 2008/2852.

<sup>(9)</sup> S.R. 2012 No. 255.

<sup>(10)</sup> S.I. 2013/1506.

<sup>(11)</sup> Sub-paragraph (ba) was inserted by S.R. 2015 No. 76, Schedule 3, Part 3, paragraph 12(2).

<sup>(12)</sup> 2014 c. 2 (N.I.).

<sup>(13)</sup> S.R. 2015 No. 161.

12. In the Control of Major Accident Hazards Regulations (Northern Ireland) 2015<sup>(14)</sup>—
- (a) in regulation 23(6), for “regulation 12(3)(c) of, and Schedule 5 to, the Industrial Tribunals (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2005”, substitute “rule 102 of Schedule 1 to the Industrial Tribunals and Fair Employment Tribunal (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2020”;
  - (b) in regulation 28(9)(b), for “the Industrial Tribunals (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2005”, substitute “the Industrial Tribunals and Fair Employment Tribunal (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2020”.
13. In Part 2 of the Schedule to the Employment Rights (Amendment) (Northern Ireland) (EU Exit) Regulations 2019<sup>(15)</sup>, after paragraph 10, insert—

**“The Employment Rights (Amendment) (Northern Ireland) (EU Exit) Regulations 2019**

- 10A. In Schedule 1 (Industrial Tribunals and Fair Employment Tribunal Rules of Procedure 2020) to the Industrial Tribunals and Fair Employment Tribunal (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2020 omit rule 97 (references to the Court of Justice of the European Union).”.
14. In Article 6(5) of the Industrial Training Levy (Construction Industry) Order (Northern Ireland) 2019<sup>(16)</sup>, for “the Industrial Tribunals (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2005”, substitute “the Industrial Tribunals and Fair Employment Tribunal (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2020”.

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<sup>(14)</sup> S.R. 2015 No. 325.

<sup>(15)</sup> S.I. 2019/537.

<sup>(16)</sup> S.R. 2019 No. 155.