STATUTORY RULES OF NORTHERN IRELAND

2002 No. 345

INDUSTRIAL RELATIONS

Code of Practice (Industrial Action Ballots and Notice to Employers) (Appointed Day) Order (Northern Ireland) 2002

Made - - - - -	*7th November 2002*
Coming into operation	*1st December 2002*

Whereas a draft of the Code of Practice being brought into operation by the following Order has been laid before the Assembly and approved by Resolution of the Assembly, the Department for Employment and Learning(**a**), in exercise of the powers conferred by Article 95(5) and (14) and Article 107(3) of the Industrial Relations (Northern Ireland) Order 1992 (**b**), and now vested in it(**c**), and of every other power enabling it in that behalf, hereby makes the following Order:

Citation

1. This Order may be cited as the Code of Practice (Industrial Action Ballots and Notice to Employers) (Appointed Day) Order (Northern Ireland) 2002.

Code of Practice

2.—(1) Subject to paragraph (2), the Department for Employment and Learning hereby appoints 1st December 2002 as the day on which there shall come into effect the Code of Practice on Industrial Action Ballots and Notice to Employers, a draft of which was issued by the Department on 20th September 2000 under Article 95(1) and 95(5) of the Industrial Relations (Northern Ireland) Order 1992.

(2) The Code referred to in paragraph (1) shall not have effect in relation to any proceedings which were before a court, an industrial tribunal or the Industrial Court immediately before 1st December 2002.

Sealed with the Official Seal of the Department for Employment and Learning on 7th November 2002.

(L.S.) *R. B. Gamble*

A senior officer of the Department for Employment and Learning

(**a**) Formerly known as the Department of Higher and Further Education, Training and Employment; renamed the Department for Employment and Learning by the Department for Employment and Learning Act (Northern Ireland) 2001 (c. 15)

(**b**) S.I. 1992/807 (N.I. 5)

(**c**) Article 4(b) and Part II of Schedule 2 of the Departments (Transfer and Assignment of Functions) Order (Northern Ireland) 1999 (S.R. 1999 No. 481) transferred functions under the Industrial Relations (Northern Ireland) Order 1992 from the Department of Economic Development to the Department of Higher and Further Education, Training and Employment, now renamed the Department for Employment and Learning

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order brings into operation, on 1st December 2002, the Code of Practice on Industrial Action Ballots and Notice to Employers, issued by the Department for Employment and Learning under Article 95(1) and 95(5) of the Industrial Relations (Northern Ireland) Order 1992 and approved by Resolution of the Assembly on 14th October 2002.

Under Article 95(13) of the Industrial Relations (Northern Ireland) Order 1992, this Code of Practice shall be admissible in evidence in any proceedings before a court or industrial tribunal or the Industrial Court and any provision of the Code which appears to the court, industrial tribunal or Industrial Court to be relevant to any question arising in those proceedings shall be taken into account in determining that question.

This Code of Practice does not affect proceedings which were before a court, an industrial tribunal or the Industrial Court immediately before 1st December 2002.

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