2004 No. 230

EMPLOYMENT

Code of Practice (Time Off for Trade Union Duties and Activities) (Appointed Day) Order (Northern Ireland) 2004

Made - - - - -	*18th May 2004*
Coming into operation	*19th May 2004*

The Department for Employment and Learning(**a**), in exercise of the powers conferred on it by Articles 90(13) and (17) and 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 and commencement

1. This Order may be cited as the Code of Practice (Time Off for Trade Union Duties and Activities) (Appointed Day) Order (Northern Ireland) 2004 and shall come into operation on 19th May 2004.

Code of Practice

2. Subject to Article 3, the Department for Employment and Learning hereby appoints 20th May 2004 as the day on which there shall come into effect the Code of Practice on Time Off for Trade Union Duties and Activities, a draft of which was issued by the Labour Relations Agency on 4th February 2004 under Article 90(1) and (13) of the Industrial Relations (Northern Ireland) Order 1992.

Revocation and saving

3.—(1) Subject to paragraph (2), the Code of Practice (Time Off for Trade Union Duties and Activities) Order (Northern Ireland) 1993(**d**) (hereafter called "the 1993 Order") is hereby revoked.

(2) The Code of Practice brought into effect by Article 2 of the 1993 Order shall continue to have effect in relation to any act done before 20th May 2004 by or on behalf of or in relation to an employer or by or on behalf of or in relation to an employee.

Sealed with the Official Seal of the Department for Employment and Learning on 18th May 2004

(L.S.) *T. Scott*

A senior officer of the Department for Employment and Learning

(**a**) Formerly the Department of Higher and Further Education, Training and Employment; *See* 2001 c. 15 (N.I.)
(**b**) S.I. 1992/807 (N.I. 5); Article 90 was amended by S.I. 1996/1919 (N.I. 16) and S.I. 2003/2902 (N.I. 15)
(**c**) *See* S.R. 1999 No. 481
(**d**) S.R. 1993 No. 185

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order specifies 20th May 2004 as the date upon which the Code of Practice on Time Off for Trade Union Duties and Activities ("the Code") issued by the Labour Relations Agency under Article 90 of the Industrial Relations (Northern Ireland) Order 1992 shall come into effect.

Under paragraph (16) of Article 90 of that Order, the Code can be admitted in evidence in any proceedings before an industrial tribunal or the Industrial Court and, if any provision of it appears to the tribunal or Court to be relevant to any question arising in the proceedings, it shall be taken into account in determining that question.

Transitional arrangements provide that the Code shall have effect in relation to any act done by an employee or employer on or after 20th May 2004 and the LRA Code brought into effect by Article 2 of the Code of Practice (Time Off for Trade Union Duties and Activities) Order (Northern Ireland) 1993 ("the 1993 Order") shall continue to have effect in relation to any act done before that date. The 1993 Order is otherwise revoked.

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