STATUTORY RULES OF NORTHERN IRELAND

2025 No. 63

TERMS AND CONDITIONS OF EMPLOYMENT

The Employment Rights (Increase of Limits) Order (Northern Ireland) 2025

Made - - - -	*21st March 2025*
Coming into operation	*6th April 2025*

The Department for the Economy makes the following Order in exercise of the powers conferred by Articles 33(2) and 39(3) of the Employment Relations (Northern Ireland) Order 1999(**a**) and now vested in it(**b**).

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Employment Rights (Increase of Limits) Order (Northern Ireland) 2025 and comes into operation on 6th April 2025.

(2) In this Order—

"the 1995 Order" means the Trade Union and Labour Relations (Northern Ireland) Order 1995(**c**);

"the 1996 Order" means the Employment Rights (Northern Ireland) Order 1996(**d**).

Revocation

2. The Employment Rights (Increase of Limits) Order (Northern Ireland) 2024(**e**) is revoked.

Increase of limits

3. In the provisions set out in column 1 of the Schedule (generally described in column 2), for the sums specified in column 3 substitute the sums specified in column 4.

(**a**) S.I. 1999/2790 (N.I. 9); Article 33 was amended by the Employment Act (Northern Ireland) 2016 (c. 15 (N.I.)), section 22 and by the Employment Relations (Northern Ireland) Order 2004 (N.I. 19), Article 30(1) and Schedule 2, paragraph 24.

(**b**) The functions of the Department of Economic Development under the Employment Relations (Northern Ireland) Order 1999 were transferred to the Department of Higher and Further Education, Training and Employment by S.R. 1999 No.481, article 4(b) and Schedule 2, Part II. The Department of Higher and Further Education, Training and Employment was renamed the Department for Employment and Learning by 2001 c.15 (N.I.), section 1, and following the dissolution of that department by the Departments Act (Northern Ireland) 2016 (c.5 (N.I.)), section 1(10), its functions under the Employment Relations (Northern Ireland) Order 1999 were transferred to the Department for the Economy by S.R. 2016 No. 76, Article 6(1)(c).

(**c**) S.I. 1995/1980 (N.I. 12)

(**d**) S.I. 1996/1919 (N.I. 16)

(**e**) S.R. 2024 No. 86

Saving and transitional provision

4.—(1) The revocation in Article 2 and the substitutions made by Article 3 do not have effect in relation to a case where the appropriate date falls before 6th April 2025.

(2) In this Article "the appropriate date" means —

(a) in the case of an application made under Article 34(1) of the 1995 Order (compensation for unjustifiable discipline by a trade union), the date of the determination infringing the applicant's right;

(b) in the case of an application for an award of compensation under Article 40(2) of the 1995 Order (compensation for expulsion from a trade union), the date of the expulsion from the union;

(c) in the case of a complaint presented under Article 44C(1) of the 1995 Order(**a**) (failure by an employer to consult with a trade union on training matters), the date of the failure;

(d) in the case of an award under paragraph 159(1) of Schedule 1A to the 1995 Order(**b**), where a worker has suffered a detriment that is the termination of the worker's contract, the date of the termination;

(e) in the case of a complaint presented under Article 28(1)(a) of the 1996 Order (refusal of employment on grounds related to union membership) or Article 28(1)(b) of that Order (refusal of service of employment agency on grounds related to union membership), the date of the conduct to which the complaint relates, as determined by Article 28(3) and (4) of that Order;

(f) in the case of a guarantee payment to which an employee is entitled under Article 60(1) of the 1996 Order (right to guarantee payment in respect of workless day), the day in respect of which the payment is due;

(g) in the case of an award of compensation under Article 72(1)(b) of the 1996 Order(**c**) by virtue of section 24(2) of the National Minimum Wage Act 1998(**d**), where a worker has suffered a detriment that is the termination of the worker's contract, the date of the termination;

(h) in the case of an award under Article 77E(2)(b) of the 1996 Order (award to worker in respect of offer made by employer in contravention of Article 77A or 77B of that Order(**e**), the date of the offer;

(i) in the case of an award under Article 112I(1)(b) of the 1996 Order(**f**) (award of compensation relating to an application for contract variation), the date of the failure in relation to the application or of the decision to reject the application;

(j) in the case of an award under Article 146(4) or (5) of the 1996 Order(**g**) (award in relation to unfair dismissal), the effective date of termination, as defined by Article 129 of that Order(**h**);

(k) in the case of an award under Article 151(1) or (3) of the 1996 Order(**i**), where an employer has failed to comply fully with the terms of an order for reinstatement or re-engagement or has failed to reinstate or re-engage the complainant in accordance with

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(**a**) Article 44C was inserted by Article 7 of the Employment Relations (Northern Ireland) Order 1999.
(**b**) Schedule 1A was inserted by Articles 3(1) and (3) and Schedule 1 to the Employment Relations (Northern Ireland) Order 1999.
(**c**) Article 72(1) was amended by the Work and Families Act (Northern Ireland) 2015 (c. 1(N.I.)), section 18(4)(a).
(**d**) 1998 c. 39
(**e**) Articles 77A, 77B and 77E were inserted by Article 14 of the Employment Relations (Northern Ireland) Order 2004 (S.I. 2004/3078 (N.I. 19)).
(**f**) Article 112I was inserted by Article 15(2) of the Employment (Northern Ireland) Order 2002 (S.I. 2002/2836 (N.I. 2)).
(**g**) Article 146(4) was amended by the Employment (Northern Ireland) Order 2003 (S.I. 2003/2902 (N.I.15)), Article 35 and Schedule 5, paragraph 2(6). Article 146(5) was inserted by Article 23(3) of the Employment (Northern Ireland) Order 2003.
(**h**) Article 129(1) was amended by the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations (Northern Ireland) 2002 (S.R. 2002 No. 298), Schedule 2, paragraph 2(8). Article 129(6) was repealed by the Employment Relations (Northern Ireland) Order 1999, Schedule 9.
(**i**) Article 151(3) was amended by Article 32(2) of the Employment Relations (Northern Ireland) Order 1999 and the Employment (Northern Ireland) Order 2003, Schedule 5, paragraph 2(6).

such an order, the date by which the order for reinstatement (specified under Article 148(2)(c) of that Order) or re-engagement (specified under Article 149(2)(f) of that Order) should have been complied with;

(l) in the case of entitlement to a redundancy payment by virtue of Article 170(1)(a) of the 1996 Order (dismissal by reason of redundancy), the relevant date, as defined by Article 180 of that Order(**a**);

(m) in the case of entitlement to a redundancy payment by virtue of Article 170(1)(b) of the 1996 Order (eligibility for a redundancy payment by reason of being laid off or kept on short-time), the relevant date, as defined by Article 188 of that Order;

(n) in the case of entitlement to a payment under Article 227 of the 1996 Order (payments by the Department), the appropriate date, as defined by Article 230 of that Order;

(o) in the case of a complaint presented under Article 13(1) of the Employment Relations (Northern Ireland) Order 1999(**b**) (failure or threatened failure to allow the worker to be accompanied at the disciplinary or grievance hearing, to allow the companion to address the hearing or confer with the worker, or to postpone the hearing), the date of the failure or threat;

(p) in the case of a complaint presented under regulation 15 of the Flexible Working (Procedural Requirements) Regulations (Northern Ireland) 2003(**c**) (failure or threatened failure to allow an employee to be accompanied at a meeting, to allow the companion to address the meeting or confer with the employee, or to postpone the meeting), the date of the failure or threat;

(q) in the case of an award made under Article 27(2) of the Employment (Northern Ireland) Order 2003(**d**) (failure to give statement of employment particulars etc.), the date the proceedings to which that Article applies were begun;

(r) in the case of an increase in an award in pursuance of Article 27(3) of the Employment (Northern Ireland) Order 2003, the date the proceedings to which that Article applies were begun;

(s) in the case of an award made under Article 28(2) of the Employment (Northern Ireland) Order 2003 (failure to give statement of employment particulars etc.), the date the proceedings to which that Article applies were begun;

(t) in the case of an increase in an award in pursuance of Article 28(3) of the Employment (Northern Ireland) Order 2003, the date the proceedings to which that Article applies were begun.

Sealed with the Official Seal of the Department for the Economy on 21st March 2025.

L.S.

Caoimhe Archibald
Minister for the Economy

(**a**) Article 180(2) was amended by the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations (Northern Ireland) 2002 (S.R. 2002 No. 298), Schedule 2, paragraph 2(14). Article 180(7) was repealed by the Employment Relations (Northern Ireland) Order 1999, Schedule 9.

(**b**) Article 13(1) was amended by Article 18(2) of the Employment Relations (Northern Ireland) Order 2004 (S.I. 2004/3078 (N.I. 19)).

(**c**) S.R. 2003 No. 173

(**d**) S.I. 2003/2902 (N.I. 15)

SCHEDULE

Article 3

INCREASE OF LIMITS

	Column 1 *Relevant statutory provision*	*Column 2* *Subject of provision*	*Column 3* *Old Limit(**a**)*	*Column 4* *New Limit*
1.	Article 40(6) of the 1995 Order	Minimum amount of compensation where individual expelled from trade union in contravention of Article 38 of the 1995 Order and not re-admitted to the union by the date of application to the tribunal.	£13,292	£13,651
2.	Article 23(1) of the 1996 Order	Maximum amount of "a week's pay" for the purpose of calculating a redundancy payment or various awards, including the basic or additional award of compensation for unfair dismissal.	£729	£749
3.	Article 63(1) of the 1996 Order	Limit on amount of guarantee payment payable to an employee in respect of any day.	£38.00	£39.00
4.	Article 77E(3) of the 1996 Order	Amount of award for unlawful inducement relating to trade union membership or activities, or for unlawful inducement relating to collective bargaining.	£5,861	£6,019
5.	Article 154(1) of the 1996 Order	Minimum amount of basic award of compensation where dismissal is unfair by virtue of Article 132(1)(a) and (b), 132A(1)(d)(**b**), 133(1), 134 or 136(1) of the 1996 Order.	£8,863	£9,102
6.	Article 158(1) of the 1996 Order	Limit on amount of compensatory award for unfair dismissal.	£115,341	£118,455
7.	Article 231(1)(a) and (b) of the 1996 Order	Limit on amount in respect of any one week payable to an employee in respect of a debt to which Part XIV of the 1996 Order applies and which is referable to a period of time.	£729	£749

(**a**) 'Old Limit' refers to amounts specified in Column 4 of the Schedule to S.R. 2024 No. 86.

(**b**) Article 132A(1)(d) was inserted by regulation 32(6) of the Working Time Regulations (Northern Ireland) 1998 (S.R. 1998 No. 386) and amended by S.I. 2003/3049, Schedule 2, paragraph 4(3).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order increases, from 6th April 2025, the limits applying to certain awards of industrial tribunals, the Fair Employment Tribunal or Labour Relations Agency statutory arbitration, and other amounts payable under employment legislation, as specified in the Schedule to the Order.

Under Article 33(2) of the Employment Relations (Northern Ireland) Order 1999 ("the 1999 Order"), if the retail prices index (RPI) for September of a year is higher (or lower) than the index for the previous September, the Department is required to change, by Order, the sums specified in the provisions mentioned in Article 33(1) by the percentage of the increase or decrease (rounded up or down as specified in Article 33(3) of the 1999 Order). The increases made by this Order reflect the increase in the RPI of 2.7% from September 2023 to September 2024.

The increases apply where the event giving rise to the entitlement to compensation or other payments occurs on or after 6th April 2025. Article 2 of the Order revokes the Employment Rights (Increase of Limits) Order (Northern Ireland) 2024 (S.R. 2024 No. 86) ("the 2024 Order"). Article 4 of the Order preserves the sums previously in operation under the 2024 Order in relation to cases where the relevant event was before 6th April 2025.

An impact assessment is not required because Article 33(2) of the 1999 Order provides for indexation according to a pre-determined formula linked to RPI.

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