1994 No. 488 (C. 17)

INDUSTRIAL RELATIONS

Industrial Relations (Deregulation and Contracting Out Act 1994) (Commencement) Order (Northern Ireland) 1994

Made . . . . . 15th December 1994

The Department of Economic Development, in exercise of the powers conferred on it by section 82(6) of the Deregulation and Contracting Out Act 1994(**a**) (''the 1994 Act'') and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Industrial Relations (Deregulation and Contracting Out Act 1994) (Commencement) Order (Northern Ireland) 1994.

(2) The Interpretation Act (Northern Ireland) 1954(**b**) shall apply to this Order as it applies to a Measure of the Northern Ireland Assembly.

Commencement

2. Section 36(2) of the 1994 Act shall come into force on 3rd January 1995.

Transitional provision

3. The omission of sub-paragraph (*e*) from paragraph (1) of Article 22C(**c**) of the Industrial Relations (Northern Ireland) Order 1976(**d**) (''the No. 1 Order'') effected by section 36(2) of the 1994 Act shall have effect in relation to any dismissal where the effective date of termination (as defined by Article 21(4) of the No. 1 Order) falls on or after 3rd January 1995, other than a dismissal in respect of which notice was required to be given before that date (whether or not it was so given) in order to terminate the contract of employment on the effective date of termination by notice duly given in compliance with the contract of employment of the employee or with section 1 of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965(**e**).

(**a**) 1994 c. 40
(**b**) 1954 c. 33 (N.I.)
(**c**) This Article was inserted by Schedule 6 to S.I. 1993/2668 (N.I. 11)
(**d**) S.I. 1976/1043 (N.I. 16)
(**e**) 1965 c. 19 (N.I.), amended by S.I. 1976/1043 (N.I. 16) Sch. 5 Part II; S.I. 1987/936 (N.I. 9) Sch. 2

Sealed with the Official Seal of the Department of Economic Development on 15th December 1994.

(L.S.) *D. Gibson*
Under Secretary

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order brings into force on 3rd January 1995 section 36(2) of the Deregulation and Contracting Out Act 1994 the effect of which is to remove sub-paragraph (*e*) of Article 22C(1) (unfair dismissal: selection for redundancy) of the No. 1 Order.

Sub-paragraph (*e*) provides for a dismissal on grounds of redundancy to be regarded as unfair if it is in contravention of a customary arrangement or an agreed procedure relating to redundancy and if there is no special reason justifying departure from the arrangement or procedure.

The Order makes a transitional provision in Article 3 in connection with the coming into force of section 36(2).