1979 No. 456

INDUSTRIAL RELATIONS

Industrial Relations (Variation of Limits) (No. 2) Order (Northern Ireland) 1979

Made . . . . . *20th December* 1979

Coming into operation . . . *1st February* 1980

The Department of Manpower Services, in exercise of the powers conferred on it by Articles 70 and 80(3) of the Industrial Relations (Northern Ireland) Order 1976(**a**) and Articles 5(5) and 63(4) of the Industrial Relations (No. 2) (Northern Ireland) Order 1976(**b**) 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 Industrial Relations (Variation of Limits) (No. 2) Order (Northern Ireland) 1979 and shall come into operation on 1st February 1980.

Interpretation

2. In this Order—

"the Act of 1965" means the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965(**c**);

"the No. 1 Order" means the Industrial Relations (Northern Ireland) Order 1976;

"the No. 2 Order" means the Industrial Relations (No. 2) (Northern Ireland) Order 1976.

Variation of limits

3. Subject to Article 4, each limit specified in columns 1 and 2 of the table in the Schedule(**d**) is varied by the substitution of the new figure in column 3 for the old figure in column 4.

Supplementary and transitional provisions

4.—(1) The variation specified in item 1 of the table in the Schedule shall have effect—

(*a*) as respects a lay-off or a keeping on short-time where the relevant date (as defined in section 16(2) of the Act of 1965) falls after this Order comes into operation; and

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(a) S.I. 1976/1043 (N.I. 16) — These Articles were brought into operation on 1st October 1976 by S.R. 1976 No. 218 (C. 11)

(b) S.I. 1976/2147 (N.I. 28) — These Articles were brought into operation on 6th April 1977 by S.R. 1977 No. 20 (C. 3)

(c) 1965 c. 19 (N.I.)

(d) The limits referred to in paragraph 5(4) of Schedule 3 to the Act of 1965, Article 32(8), 35(4) and 42(5) of the No. 1 Order and Article 5(1) of the No. 2 Order were varied by the Industrial Relations (Variation of Limits) Order (Northern Ireland) 1979, S.R. 1979 No. 7

(*b*) as respects a dismissal where, for the purposes of section 18(1) of, and paragraphs 1(1) and 5(5) of Schedule 3 to the Act of 1965, the relevant date (as defined in section 13(10) of the Act of 1965) falls after this Order comes into operation.

(2) The variation specified in item 2 of the table in the Schedule shall have effect as respects an employer's failure to comply with an order for reinstatement or re-engagement where the date (specified under Article 31(3)(*c*) or, as the case may be, Article 31(5)(*f*) of the No. 1 Order) by which the order must be complied with falls after this Order comes into operation.

(3) The variation in item 3 of the table in the Schedule shall have effect where the effective date of termination as defined in Article 21(4) or, where applicable, Article 21(5) of the No. 1 Order falls after this Order comes into operation.

(4) The variation specified in item 4 of the table in the Schedule shall have effect where the insolvency (within the meaning of Article 42 of the No. 1 Order) occurs after this Order comes into operation.

(5) The variation specified in item 5 of the table in the Schedule shall have effect as respects any day in respect of which an employee becomes entitled to a guarantee payment after this Order comes into operation.

Sealed with the Official Seal of the Department of Manpower Services for Northern Ireland on 20th December 1979.

(L.S.)

T. Pearson
Assistant Secretary

SCHEDULE

Table relating to variation of limits

Column 1 Provision	Column 2 Nature of Limit	Column 3 New Figure	Column 4 Old Figure
1. Paragraph 5(4) of Schedule 3 to the Act of 1965.	Limit on amount of "a week's pay" for the purpose of calculating a redundancy payment.	£120·00	£110·00
2. Article 32(8) of the No. 1 Order.	Limit on amount of "a week's pay" for the purpose of calculating an additional award of compensation where employer fails to comply with order for reinstatement or re-engagement under Article 31 of the No. 1 Order.	£120·00	£110·00
3. Article 35(4) of the No. 1 Order.	Limit on amount of "a week's pay" for the purpose of calculating a basic award of compensation for unfair dismissal under Articles 34 and 35 of the No. 1 Order.	£120·00	£110·00
4. Article 42(5) of the No. 1 Order.	Limit on amount payable to an employee in respect of any debt mentioned in Article 42(3) of the No. 1 Order where that debt is referable to a period of time.	£120·00	£110·00
5. Article 5(1) of the No. 2 Order.	Limit on amount of a guarantee payment payable to an employee in respect of any day.	£8·00	£7·25

EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

This Order, which comes into operation on 1st February 1980, varies certain of the limits under the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 ("the Act of 1965"), the Industrial Relations (Northern Ireland) Order 1976 ("the No. 1 Order"), and the Industrial Relations (No. 2) (Northern Ireland) Order 1976 ("the No. 2 Order"). The limits on the amount of "a week's pay" for the purposes of calculating a redundancy payment under the Act of 1965 and basic and additional awards of compensation for unfair dismissal under the No. 1 Order are increased from £110 to £120. The limit on the amount for the purpose of calculating the sum payable by the Department of Manpower Services under Article 42 of the No. 1 Order in respect of debts due to an employee whose employer becomes insolvent is likewise increased from £110 to £120. The limit on the amount of a guarantee payment under Article 5(1) of the No. 2 Order in respect of any day is increased from £7·25 to £8·00.