1979 No. 306

INDUSTRIAL TRIBUNALS

Industrial Tribunals (Industrial Relations) (Amendment) Regulations (Northern Ireland) 1979

Made . . . . . 30*th August* 1979

Coming into operation . . . . 1*st November* 1979

The Department of Manpower Services, in exercise of the powers conferred on it by Article 59 of the Industrial Relations (Northern Ireland) Order 1976(**a**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Industrial Tribunals (Industrial Relations) (Amendment) Regulations (Northern Ireland) 1979 and shall come into operation on 1st November 1979.

Amendment of principal Regulations

2. The Schedule to the Industrial Tribunals (Industrial Relations) Regulations (Northern Ireland) 1976(**b**) shall be amended in the following manner—

(i) in Rule 1(1)(*b*) "or of the parties to the proceedings before the court (as the case may be)" shall be deleted;

(ii) in Rule 1(1)(*c*) after "grounds" there shall be inserted ", with particulars thereof,";

(iii) in Rule 3(1) after "if so," there shall be inserted "setting out sufficient particulars to show";

(iv) in Rule 4(1):—

(*a*) after "a tribunal may" there shall be inserted ", if it thinks fit, of its own motion (except in relation to sub-paragraphs (*b*) and (*c*), or";

(*b*) in sub-paragraph (*b*) after "inspection" there shall be inserted "(including the taking of copies)";

(v) in Rule 7(2) after "the tribunal may" there shall be inserted "if that party is an applicant, dismiss, or, in any case" and after " : Provided that before" there shall be inserted "deciding to dismiss or";

(vi) in Rule 9:—

(*a*) in paragraph (1) for "any of its decisions" there shall be substituted "any decision";

(*b*) for paragraph (4) there shall be substituted:—

"(4) If such an application is not refused under paragraph (3) it shall be heard by—

(i) the tribunal which decided the case; or

(ii) where it is not practicable for it to be heard by that tribunal, or where the decision was made by a chairman acting alone under Rule 11(4), by a tribunal appointed by the President,

(**a**) S.I. 1976/1043 (N.I. 16)
(**b**) S.R. 1976 No. 262 (II, p. 1290) as amended by S.R. 1977 No. 54 (I, p. 156) and S.R. 1977 No. 177 (II, p. 1034)

and if it is granted the tribunal shall either vary the decision or revoke the decision and order a re-hearing";

(vii) in Rule 11:—

(*a*) in paragraph (2)(*a*) after "by" there shall be inserted "or under" and there shall be added at the end a new sub-paragraph:

"(*f*) on the application of the respondent, or of its own motion, order to be struck out any originating application for want of prosecution.";

(*b*) in paragraph (4) for "chairman of the tribunal" there shall be substituted "any chairman being a member of a panel of chairmen".

Sealed with the Official Seal of the Department of Manpower Services for Northern Ireland on 30th August 1979.

(L.S.) *Trevor Pearson*
Assistant Secretary

EXPLANATORY NOTE

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

These Regulations further amend the Industrial Tribunals (Industrial Relations) Regulations (Northern Ireland) 1976. The principal changes made include giving power to a tribunal:

(*a*) to require of its own motion a party to furnish further particulars;

(*b*) to review a decision of another tribunal where it is not practicable for that tribunal to review its decision; and

(*c*) to strike out any originating application for want of prosecution.