1988 No. 65

INDUSTRIAL RELATIONS

Unfair Dismissal (Increase of Limits of Basic and Special Awards) Order (Northern Ireland) 1988

Made . . . . . *4th March 1988*

Coming into operation . . *1st April 1988*

The Department of Economic Development(**a**) in exercise of the powers conferred on it by Articles 34(5B), 37A(7)(**b**) and 80(3) of the Industrial Relations (Northern Ireland) Order 1976(**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 Unfair Dismissal (Increase of Limits of Basic and Special Awards) Order (Northern Ireland) 1988 and shall come into operation on 1st April 1988.

Interpretation

2. In this Order—

"effective date of termination" has the same meaning as in Article 21(4) of the Order of 1976 except in a case in which Article 21(5) or 21(6)(**d**) of that Order would have effect so as to treat a later date as the effective date of termination in which case that later date shall be the effective date of termination for the purpose of this Order; and

"the Order of 1976" means the Industrial Relations (Northern Ireland) Order 1976.

Increase of limits

3. In the Order of 1976—

(*a*) the minimum award of £2,300(**e**) provided for by Article 34(5A)(**f**) is increased to £2,400;

(*b*) the sums of £11,500 and £23,000(**e**) specified in Article 37A(1) are increased respectively to £11,950 and £23,850; and

(*c*) the sum of £17,250(**e**) specified in Article 37A(2) of the Order of 1976 is increased to £17,900.

(**a**) Formerly the Department of Manpower Services: *See* S.I. 1982/846 (N.I. 11) Article 3
(**b**) Articles 34(5B) and 37A were inserted respectively by Articles 6 and 7 of S.I. 1987/936 (N.I. 9)
(**c**) S.I. 1976/1043 (N.I. 16)
(**d**) As substituted by S.I. 1987/936 (N.I. 9) Article 25(1) and Schedule 3 paragraph 4
(**e**) The sums referred to in Articles 34(5A), 37A(1) and 37A(2) of the Order of 1976 were increased by the Order of 1987
(**f**) Article 34(5A) was inserted by Article 6 of S.I. 1987/936 (N.I. 9)

Revocation

4. Subject to Article 5(2) the Unfair Dismissal (Increase of Limits of Basic and Special Awards) Order (Northern Ireland) 1987(**a**) (''the Order of 1987'') is hereby revoked.

Transitional provisions

5.—(1) The increases specified in Article 3 shall have effect where the effective date of termination falls on or after 1st April 1988.

(2) Notwithstanding the revocation of the Order of 1987 the limits set by that Order shall continue to apply where the effective date of termination falls before 1st April 1988 as if this Order had not been made.

Sealed with the Official Seal of the Department of Economic Development on 4th March 1988.

(L.S.) *D. C. Gowdy*
Under Secretary

(a) S.R. 1987 No. 318

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order, which comes into operation on 1st April 1988 increases from £2,300 to £2,400 the minimum basic award (before appropriate reductions) and increases the limits of £11,500, £23,000 and £17,250 to £11,950, £23,850 and £17,900 respectively, applicable to the calculation of the special award.

The minimum basic award and the special award are only relevant to dismissals relating to trade union membership which are to be regarded as unfair by virtue of Articles 22A or 22C(*a*) of the Industrial Relations (Northern Ireland) Order 1976. The revised Article 22A and new Article 22C were inserted into that Order by Article 5 of the Industrial Relations (Northern Ireland) Order 1987.

The increases specified in this Order only apply where the effective date of termination (as defined in Article 2) falls on or after 1st April 1988. If the effective date of termination falls before that date the former limits continue to apply.