1991 No. 67

INDUSTRIAL RELATIONS

Unfair Dismissal (Increase of Compensation Limit) Order (Northern Ireland) 1991

Made . . . . . *5th March 1991*

Coming into operation . . *1st April 1991*

The Department of Economic Development(**a**), in exercise of the powers conferred on it by Articles 37(2) and 80(3) of the Industrial Relations (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 Unfair Dismissal (Increase of Compensation Limit) Order (Northern Ireland) 1991 and shall come into operation on 1st April 1991.

Interpretation

2. In this Order—

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

"the Order of 1989" shall be construed in accordance with Article 4;

"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 (6)(**c**) 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.

Increase of compensation limit

3. Subject to Article 5(1), the limit on compensation specified in Article 37(1) of the Order of 1976 is increased to £10,000.

Revocation

4. Subject to Article 5(2), the Unfair Dismissal (Increase of Compensation Limit) Order (Northern Ireland) 1989(**d**) ("the Order of 1989") is hereby revoked.

(**a**) Formerly the Department of Manpower Services; *see* S.I. 1982/846 (N.I. 11) Article 3
(**b**) S.I. 1976/1043 (N.I. 16)
(**c**) As substituted by S.I. 1987/936 (N.I. 9) Article 25(1) and Schedule 3 paragraph 4
(**d**) S.R. 1989 No. 86

Transitional provisions

5.—(1) The increase specified in Article 3 shall only have effect in relation to any case where the effective date of termination falls on or after 1st April 1991.

(2) Notwithstanding the revocation of the Order of 1989, the limit set or, as the case may be, preserved by Articles 3 and 5 of that Order shall continue to have effect as provided by that Order in any case where the effective date of termination falls before 1st April 1991.

Sealed with the Official Seal of the Department of Economic Development on 5th March 1991.

(L.S.) *R. B. Spence*
Under Secretary

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order, which comes into operation on 1st April 1991, increases from £8,925 to £10,000 the limit on the amount of compensation which can be awarded by an industrial tribunal in claims for unfair dismissal as the compensatory award under Article 33 of the Industrial Relations (Northern Ireland) Order 1976 or as compensation for failure to comply fully with the terms of an order for reinstatement or re-engagement under Article 32(1) of that Order.

The increase applies in any case where the effective date of termination (as defined in Article 2) falls on or after 1st April 1991. If the effective date of termination falls before that date the former limits continue to apply.