
STATUTORY RULES OF NORTHERN IRELAND

2000 No. 219

Part-time Workers (Prevention of Less Favourable Treatment) Regulations (Northern Ireland) 2000

Part IV

Special Classes of Person

Crown employment

12.—(1) Subject to regulation 13, these Regulations have effect in relation to Crown employment and persons in Crown employment as they have effect in relation to other employment and other employees and workers.

(2) In paragraph (1) “Crown employment” means employment under or for the purposes of a government department or any officer or body exercising on behalf of the Crown functions conferred by a statutory provision.

(3) For the purposes of the application of the provisions of these regulations in relation to Crown employment in accordance with paragraph (1)—

- (a) references to an employee and references to a worker shall be construed as references to a person in Crown employment to whom the definition of employee or, as the case may be, worker is appropriate; and
- (b) references to a contract in relation to an employee and references to a contract in relation to a worker shall be construed as references to the terms of employment of a person in Crown employment to whom the definition of employee or, as the case may be, worker is appropriate.

Armed forces

13.—(1) These Regulations shall have effect in relation—

- (a) subject to paragraphs (2) and (3) and apart from regulation 7(1), to service as a member of the armed forces, and
- (b) to employment by an association established for the purposes of Part XI of the Reserve Forces Act 1996⁽¹⁾.

(2) These Regulations shall not have effect in relation to service as a member of the reserve forces in so far as that service consists in undertaking training obligations—

- (a) under section 38, 40 or 41 of the Reserve Forces Act 1980⁽²⁾,
- (b) under section 22 of the Reserve Forces Act 1996,
- (c) pursuant to regulations made under section 4 of the Reserve Forces Act 1996,

(1) 1996 c. 14
(2) 1980 c. 9

or consists in undertaking voluntary training or duties under section 27 of the Reserve Forces Act 1996.

(3) No complaint concerning the service of any person as a member of the armed forces may be presented to an industrial tribunal under regulation 8 unless—

- (a) that person has made a complaint in respect of the same matter to an officer under the service redress procedures, and
- (b) that complaint has not been withdrawn.

(4) For the purposes of paragraph (3)(b), a person shall be treated as having withdrawn his complaint if, having made a complaint to an officer under the service redress procedures, he fails to submit the complaint to the Defence Council under those procedures.

(5) Where a complaint of the kind referred to in paragraph (3) is presented to an industrial tribunal, the service redress procedures may continue after the complaint is presented.

(6) In this regulation, “the service redress procedures” means the procedures, excluding those which relate to the making of a report to Her Majesty, referred to in section 180 of the Army Act 1955(3), section 180 of the Air Force Act 1955(4) and section 130 of the Naval Discipline Act 1957(5), (6).

Police service

14.—(1) For the purposes of these Regulations, the holding, otherwise than under a contract of employment, of the office of constable shall be treated as employment, under a contract of employment, by the relevant officer.

(2) In this regulation “the relevant officer” means—

- (a) in relation to a member of the Royal Ulster Constabulary or the Royal Ulster Constabulary Reserve, the Chief Constable;
- (b) in relation to a person holding office under section 9(1)(b) of the Police Act 1997(7) (police members of the National Criminal Intelligence Service), the Director General of the National Criminal Intelligence Service; and
- (c) in relation to any other person holding the office of constable, the person who has the direction and control of the body of constables in question.

Holders of judicial offices

15. These Regulations do not apply to any individual in his capacity as the holder of a judicial office if he is remunerated on a daily fee-paid basis.

(3) 1955 c. 18

(4) 1955 c. 19

(5) 1957 c. 53

(6) Each of the sections referred to in paragraph (6) of Regulation 13 was substituted by section 20 of the Armed Forces Act 1996 (c. 46)

(7) 1997 c. 50