

## SCHEDULES

### SCHEDULE 2

#### EXTENSION OF LIMITATION PERIODS TO ALLOW FOR CONCILIATION

##### *Employment Rights (Northern Ireland) Order 1996 (NI 16)*

**41.** After Article 249A (time limits in relation to certain mediated cross-border disputes) insert—

##### *“Extension of certain time limits*

##### **249B Extension of time limits to facilitate conciliation before institution of proceedings**

(1) This Article applies where this Order provides for it to apply for the purposes of a provision of this Order (a “relevant provision”).

But it does not apply to a dispute which is a relevant cross-border dispute for the purposes of Article 249A.

(2) In this Article—

(a) Day A is the day on which the complainant concerned complies with the requirement in paragraph (1) of Article 20A of the Industrial Tribunals (Northern Ireland) Order 1996 (requirement to contact Agency before instituting proceedings) in relation to the matter in respect of which the proceedings are brought, and

(b) Day B is the day on which the complainant concerned receives or, if earlier, is treated as receiving (by virtue of regulations made under paragraph (11) of that Article) the certificate issued under paragraph (4) of that Article.

(3) In working out when a time limit set by a relevant provision expires the period beginning with the day after Day A and ending with Day B is not to be counted.

(4) If a time limit set by a relevant provision would (if not extended by this paragraph) expire during the period beginning with Day A and ending one month after Day B, the time limit expires instead at the end of that period.

(5) Where an industrial tribunal has power under this Order to extend a time limit set by a relevant provision, the power is exercisable in relation to the time limit as extended by this Article.”.