

## SCHEDULES

### SCHEDULE 3

#### EMPLOYMENT RIGHTS IN HEALTH AND SAFETY CASES

#### PART IV

#### ARTICLES 39 TO 41 OF THE NO. 1 ORDER, AS SUBSTITUTED

##### *Interim relief*

##### **Application for variation or revocation of order**

**40A.**—(1) At any time between the making of an order under Article 39A and the determination or settlement of the complaint, the employer or the employee may apply to an industrial tribunal for the revocation or variation of the order on the ground of a relevant change of circumstances since the making of the order.

(2) Articles 39 and 39A apply in relation to such an application as in relation to an original application for interim relief, except that—

- (a) no certificate need be presented to the tribunal under Article 39(3); and
- (b) in the case of an application by the employer, Article 39(8) has effect with the substitution of a reference to the employee for the reference to the employer.