
STATUTORY INSTRUMENTS

1999 No. 2790

The Employment Relations (Northern Ireland) Order 1999

Other rights of individuals

Part-time work: discrimination

21.—(1) The Department shall make regulations for the purpose of securing that persons in part-time employment are treated, for such purposes and to such extent as the regulations may specify, no less favourably than persons in full-time employment.

(2) The regulations may—

- (a) specify classes of person who are to be taken to be, or not to be, in part-time employment;
- (b) specify classes of person who are to be taken to be, or not to be, in full-time employment;
- (c) specify circumstances in which persons in part-time employment are to be taken to be, or not to be, treated less favourably than persons in full-time employment;
- (d) make provision which has effect in relation to persons in part-time employment generally or provision which has effect only in relation to specified classes of persons in part-time employment.

(3) The regulations may—

- (a) confer jurisdiction (including exclusive jurisdiction) on industrial tribunals;
- (b) create criminal offences in relation to specified acts or omissions by an employer, by an organisation of employers, by an organisation of workers or by an organisation existing for the purposes of a profession or trade carried on by the organisation's members;
- (c) in specified cases or circumstances, extend liability for a criminal offence created under sub-paragraph (b) to a person who aids the commission of the offence or to a person who is an agent, principal, employee, employer or officer of a person who commits the offence;
- (d) provide for specified obligations or offences not to apply in specified circumstances;
- (e) make provision about notices or information to be given, evidence to be produced and other procedures to be followed;
- (f) amend, apply with or without modifications, or make provision similar to any provision of the Employment Rights Order (including, in particular, Parts VI, XI and XV) or the Trade Union and Labour Relations Order;
- (g) provide for the provisions of specified agreements to have effect in place of provisions of the regulations to such extent and in such circumstances as may be specified;
- (h) include consequential provision, including provision amending a statutory provision.

^{F1}(4)

(5) Regulations under this Article which create an offence—

- (a) shall provide for it to be triable summarily only, and
- (b) may not provide for it to be punishable by imprisonment or by a fine in excess of level 5 on the standard scale.

Changes to legislation: *There are currently no known outstanding effects for the The Employment Relations (Northern Ireland) Order 1999, Section 21. (See end of Document for details)*

F1 Art. 21(4) omitted (31.12.2020) by virtue of The Employment Rights (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 (S.I. 2019/537), reg. 1(1), **Sch. para. 2** (with Sch. para. 11); 2020 c. 1, Sch. 5 para. 1(1)

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