
STATUTORY INSTRUMENTS

1999 No. 2790

The Employment Relations (Northern Ireland) Order 1999

Miscellaneous

Employment rights: employment outside Northern Ireland

31.—(1) For Article 239 of the Employment Rights Order substitute—

“Employment outside Northern Ireland

239.—(1) The provisions to which this paragraph applies do not apply to employment where under his contract of employment an employee ordinarily works outside Northern Ireland.

(2) Paragraph (1) applies to—

- (a) Part II;
- (b) Chapter II of Part VI;
- (c) Articles 92 to 95;
- (d) Articles 221 and 222.”.

(2) In Article 242 of that Order (mariners) after paragraph (6) insert—

“(7) The provisions mentioned in paragraph (8) apply to employment on board a ship registered in the register maintained under section 8 of the Merchant Shipping Act 1995 if and only if—

- (a) the ship’s entry in the register specifies a port in Northern Ireland as the port to which the vessel is to be treated as belonging;
- (b) under his contract of employment the person employed does not work wholly outside Northern Ireland; and
- (c) the person employed is ordinarily resident in Northern Ireland.

(8) The provisions are—

- (a) Articles 40 to 42;
- (b) Parts IV and V and Chapter I of Part VI;
- (c) Part VII, apart from Articles 86 to 88;
- (d) Parts VIII and IX;
- (e) Articles 124 and 125; and
- (f) Part XI.”.