

**2004 No. 317**

**EMPLOYMENT**

**Industrial Tribunals (Constitution and Rules of Procedure)  
(Amendment) Regulations (Northern Ireland) 2004**

*Made* - - - - - *3rd August 2004*

*Coming into operation* *5th September 2004*

The Department for Employment and Learning(a), in exercise of the powers conferred on it by Articles 9(1), 12(7)(a)(b) and 25(5) of the Industrial Tribunals (Northern Ireland) Order 1996(c), and now vested in it(d), and of every other power enabling it in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Industrial Tribunals (Constitution and Rules of Procedure) (Amendment) Regulations (Northern Ireland) 2004 and shall come into operation on 5th September 2004.

**Interpretation**

2. In these Regulations “the principal Regulations” means the Industrial Tribunals (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2004(e) and any reference to a rule in a Schedule is a reference to a rule in that Schedule to the principal Regulations.

**Revocation of regulation 4**

3. Regulation 4 of the principal Regulations is hereby revoked.

**Amendment of rule 7A (special advocate)**

4. In rule 7A of Schedule 1 (inserted by paragraph 4 of Schedule 2) for paragraph (2) there shall be substituted –

“(2) A special advocate shall –

- (a) have a general qualification within the meaning of section 71 of the Courts and Legal Services Act 1990;
- (b) be an advocate or solicitor admitted in Scotland; or
- (c) be a member of the Bar of Northern Ireland or a solicitor of the Supreme Court of Northern Ireland.”.

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(a) Formerly the Department of Higher and Further Education, Training and Employment; *see* 2001 c. 15 (N.I.)  
(b) Article 12 was substituted by paragraph 3 of Schedule 8 to the Employment Relations (Northern Ireland) Order 1999 (S.I. 1999/2790 (N.I. 9))  
(c) S.I. 1996/1921 (N.I. 18)  
(d) *See* S.R. 1999 No. 481  
(e) S.R. 2004 No. 165

Sealed with the Official Seal of the Department for Employment and Learning on 3rd August 2004.

(L.S.)

*R. B. Gamble*

A senior officer of the Department for Employment and Learning

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations.)*

These Regulations revoke regulation 4 of the Industrial Tribunals (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2004 (“the principal Regulations”). This is done by regulation 3.

By way of regulation 4, rule 7A of Schedule 1 to the principal Regulations is amended to make it clear that a special advocate appointed by the Attorney General for Northern Ireland to represent the interests of the applicant in national security cases may be a qualified lawyer entitled to practise in Northern Ireland, England, Wales or Scotland.

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