
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 47

The Information and Consultation of
Employees Regulations (Northern Ireland) 2005

PART III

NEGOTIATED AGREEMENTS

Restrictions on employee request and employer notification

12.—(1) Subject to paragraph (2), no employee request or employer notification is valid if it is made or issued, as the case may be –

- (a) where a negotiated agreement applies, within a period of three years from the date of the agreement or, where the agreement is terminated within that period, before the date on which the termination takes effect;
- (b) where the standard information and consultation provisions apply within a period of three years from the date on which they started to apply; and
- (c) where the employer has held a ballot under regulation 8, or was one of the employers who held a ballot under regulation 9 and the result was that the employees did not endorse the valid employee request referred to in regulation 8(1), within a period of three years from the date of that request.

(2) Paragraph (1) does not apply where there are material changes in the undertaking during the applicable period having the result –

- (a) where a ballot held under regulation 8 or 9 had the result that the employees did not endorse the valid employee request, that there is no longer a pre-existing agreement which satisfies paragraph (1)(b) and (c) of regulation 8 or in the case of a ballot held under regulation 9, that there is no longer an agreement satisfying paragraph (1)(b) of that regulation; or
- (b) where a negotiated agreement exists, that the agreement no longer complies with the requirement in regulation 16(1) that it must cover all the employees of the undertaking.