

2017 No. 199 (C. 12)

EMPLOYMENT

**The Employment Act (Northern Ireland) 2016 (Commencement
No. 1) Order (Northern Ireland) 2017**

Made - - - - *26th September 2017*

The Department for the Economy(a), in exercise of the powers conferred by section 29(2) of the Employment Act (Northern Ireland) 2016(b), and now vested in it(c), makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Employment Act (Northern Ireland) 2016 (Commencement No. 1) Order (Northern Ireland) 2017.

(2) In this Order “the Act” means the Employment Act (Northern Ireland) 2016.

Commencement

2.—(1) Sections 13 to 17 of the Act shall come into operation on 1st October 2017.

(2) Section 27 and Schedule 3 of the Act shall come into operation on 1st October 2017 only in respect of repeals to the Employment Rights (Northern Ireland) Order 1996(d).

Sealed with the Official Seal of the Department for the Economy on 26th September 2017.



Dr Andrew McCormick
Permanent Secretary to the Department for the Economy

(a) 2016 c.5 (N.I.)
(b) 2016 c.15 (N.I.)
(c) S.R. 2016 No. 76
(d) S.I.1996/1919 (N.I. 16)

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into operation the provisions of the Employment Act (Northern Ireland) 2016 (2016 c. 15 (N.I.)) set out in Article 2.

Sections 13 to 17 to the Act, which are commenced by this Order, make certain changes to the law relating to public interest disclosures. Section 13 and 14 introduce a public interest test and remove a requirement for a disclosure to be made in good faith. Section 15 introduces a power for the Department to make regulations requiring a prescribed person to produce an annual report on disclosures of information made to the person by workers. Section 16 introduces a vicarious liability provision for workers subjected to a detriment by co-workers on the ground that a worker made a protected disclosure.

Section 17 extends the meaning of worker, for public interest disclosure purposes, to include student nurses and student midwives who undertake work experience as part of an approved course of education or training. Section 17 also introduces a power for the Department to amend, by order, the definition of worker.

Section 27 and Schedule 3 make amendments relating to public interest disclosures to the Employment Rights (Northern Ireland) Order 1996.

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£4.25

NI201709261007 10/2017 19585

<http://www.legislation.gov.uk/id/nisr/2017/199>

ISBN 978-0-33-800854-1



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