
EXPLANATORY NOTE

(This note is not part of the Order)

This Order increases, from 6th April 2021, the limits applying to certain awards of industrial tribunals, the Fair Employment Tribunal or Labour Relations Agency statutory arbitration, and other amounts payable under employment legislation, as specified in the Schedule to the Order.

Under Article 33(2) of the Employment Relations (Northern Ireland) Order 1999 (“the 1999 Order”), if the retail prices index (RPI) for September of a year is higher (or lower) than the index for the previous September, the Department is required to change, by Order, the sums specified in the provisions mentioned in Article 33(1) by the percentage of the increase or decrease (rounded up or down as specified in Article 33(3) of the 1999 Order). The increases made by this Order reflect the increase in the RPI of 1.1% from September 2019 to September 2020.

The increases apply where the event giving rise to the entitlement to compensation or other payments occurs on or after 6th April 2021. Article 2 of the Order revokes the Employment Rights (Increase of Limits) Order (Northern Ireland) 2020 (S.R. 2020 No. 42) (“the 2020 Order”). Article 4 of the Order preserves the sums previously in operation under the 2020 Order in relation to cases where the relevant event was before 6th April 2021.

An impact assessment is not required because Article 33(2) of the 1999 Order provides for indexation according to a pre-determined formula linked to RPI.