

## SCHEDULE 2

Regulation 20

### AMENDMENTS TO LEGISLATION

1. In regulation 11 of the Merchant Shipping (Local Passenger Vessels) (Masters' Licences and Hours, Manning and Training) Regulations 1993<sup>(1)</sup> (application of provisions about masters' hours of work), paragraph (a) is revoked.

2.—(1) The Employment Tribunals Act 1996<sup>(2)</sup> is amended as follows.

(2) In section 18(1) (cases where conciliation provisions apply), the word “or” preceding paragraph (1) is omitted and after that paragraph there is inserted—

“(m) under regulation 18 of the Merchant Shipping (Working Time: Inland Waterways) Regulations 2003.”.

(3) In section 21(1) (jurisdiction of the Employment Appeal Tribunal), the word “or” preceding paragraph (m) is omitted and after that paragraph there is inserted—

“(n) the Merchant Shipping (Working Time: Inland Waterways) Regulations 2003.”.

3.—(1) The Employment Rights Act 1996<sup>(3)</sup> is amended as follows.

(2) In section 45A (right not to suffer detriment: working time cases), after subsection (4) there is inserted—

“(5) A reference in this section to the Working Time Regulations 1998 includes a reference to the Merchant Shipping (Working Time: Inland Waterways) Regulations 2003.”.

(3) In section 101A (fairness in dismissal: working time cases), the existing provision shall become subsection (1) and after it there is inserted—

“(2) A reference in this section to the Working Time Regulations 1998 includes a reference to the Merchant Shipping (Working Time: Inland Waterways) Regulations 2003.”.

(4) In section 104(4)(d) (fairness in dismissal: assertion of statutory right), at the end there is inserted “or the Merchant Shipping (Working Time: Inland Waterways) Regulations 2003”.

4.—(1) The Employment Rights (Northern Ireland) Order 1996<sup>(4)</sup> is amended as follows.

(2) In Article 68A (right not to suffer detriment: working time cases), after paragraph (4) there is inserted—

“(5) A reference in this Article to the Working Time Regulations (Northern Ireland) 1998 includes a reference to the Merchant Shipping (Working Time: Inland Waterways) Regulations 2003.”.

(3) In Article 132A (fairness in dismissal: working time cases), the existing provision shall become paragraph (1) and after it there is inserted—

“(2) A reference in this Article to the Working Time Regulations (Northern Ireland) 1998 includes a reference to the Merchant Shipping (Working Time: Inland Waterways) Regulations 2003.”.

---

(1) [S.I. 1993/1213](#), to which there is an amendment not relevant to these Regulations.

(2) [1996 c. 17](#).

(3) [1996 c. 18](#); section 45A was inserted by regulation 31(1) of the Working Time Regulations 1998, [S.I. 1998/1833](#) (the 1998 Regulations) and amended by the Employment Relations Act 1999 ([c. 26](#)), section 18(3) and Schedule 9, Table 3; section 101A was inserted by regulation 32(1) of the 1998 Regulations and section 104(4)(d) was inserted by regulation 32(2) of those Regulations.

(4) [S.I. 1996/1919 \(N.I. 16\)](#); Article 68A was inserted by regulation 31(1) of the Working Time Regulations (Northern Ireland) 1998 ([S.R. \(N.I.\) 1998 No. 386](#)) (“the 1998 Regulations”) and amended by the Employment Relations (Northern Ireland) Order 1999, [S.I. 1999/2790 \(N.I. 9\)](#), Article 20(3) and Schedule 9; Articles 132A and 135(4)(d) were inserted by regulation 32(1) and (2) of the 1998 Regulations, respectively.

*Status: This is the original version (as it was originally made).*

(4) In Article 135(4)(d) (fairness in dismissal: assertion of statutory right), at the end there is inserted “or the Merchant Shipping (Working Time: Inland Waterways) Regulations 2003”.

5. In Article 20(1) of the Industrial Tribunals (Northern Ireland) Order 1996<sup>(5)</sup> (cases where conciliation provisions apply), at the end there is inserted—

“(k) under regulation 18 of the Merchant Shipping (Working Time: Inland Waterways) Regulations 2003”.

6. In regulation 18(1) of the Working Time Regulations 1998<sup>(6)</sup> (excluded sectors), for paragraph (c) there is substituted—

“(c) to workers to whom the Merchant Shipping (Working Time: Inland Waterways) Regulations 2003 apply”.

7. In regulation 18(1) of the Working Time Regulations (Northern Ireland) 1998<sup>(7)</sup> (excluded sectors), for paragraph (c) there is substituted—

“(c) to workers to whom the Merchant Shipping (Working Time: Inland Waterways) Regulations 2003 apply”.

8. In regulation 3(3) of the Merchant Shipping (Medical Examination) Regulations 2002<sup>(8)</sup> (application of Regulations), at the end there is inserted “or the Merchant Shipping (Working Time: Inland Waterways) Regulations 2003”.

9. In regulation 3(2) of the Merchant Shipping (Hours of Work) Regulations 2002<sup>(9)</sup> (application of Regulations), at the end there is inserted “or the Merchant Shipping (Working Time: Inland Waterways) Regulations 2003”.

---

<sup>(5)</sup> See footnote (b) on page 3.

<sup>(6)</sup> S.I. 1998/1833; regulation 18 was substituted by the Working Time (Amendment) Regulations 2003, S.I. 2003/1684, regulation 4.

<sup>(7)</sup> S.R. (N.I.) 1998 No. 386; regulation 18 was substituted by the Working Time (Amendment No. 2) Regulations (Northern Ireland) 2003, S.R. (N.I.) 2003 No. 330.

<sup>(8)</sup> S.I. 2002/2055.

<sup>(9)</sup> S.I. 2002/2125.