

STATUTORY INSTRUMENTS

2018 No. 58

The Merchant Shipping (Maritime Labour Convention) (Hours of Work) Regulations 2018

Northern Ireland **U.K.**

4. These Regulations apply in relation to Northern Ireland as if—
- (a) in regulation 2(1) (interpretation)—
 - (i) for the definition of “collective agreement” there were substituted the following definition—

““collective agreement” means a collective agreement within the meaning of Article 2(2) of the Industrial Relations (Northern Ireland) Order 1992 ^{M1}, the trade union parties to which are independent trade unions within the meaning of that Article;”;

and
 - (ii) there were inserted in the appropriate place—

““industrial tribunal” means a tribunal established under Article 3 of the Industrial Tribunals (Northern Ireland) Order 1996 ^{M2};”;
 - (b) in regulations 26(1), (2), (3) and (5) (remedies) and 28(1)(b) and (3)(c) (contracting out), for the words “employment tribunal” there were substituted “ industrial tribunal ”;
 - [^{F1}(c) in regulation 27(3)(b) for the words “section 18A(1) of the Employment Tribunals Act 1996 (requirement to contact ACAS before instituting proceedings)” substitute “Article 20A(1) of the Industrial Tribunals (Northern Ireland) Order 1996 (requirement to contact the Labour Relations Agency before instituting proceedings)”];
 - [^{F2}(ca) in regulation 27(3)(c) for the words “(by virtue of the regulations made under section 18A(11) of the Employment Tribunals Act 1996) the certificate issued under subsection (4) of that section” substitute “ (by virtue of regulations made under paragraph (11) of that Article) the certificate issued under paragraph (4) of that Article”];
 - (d) In regulation 28(2)(a)—
 - (i) for the words “a conciliation officer” there were substituted “ the Agency ”; and
 - (ii) for the words “sections 18A to 18C of the Employment Tribunals Act 1996 (conciliation)” there were substituted “ Article 20 of the Industrial Tribunals (Northern Ireland) Order 1996 ^{M3} ”.

Textual Amendments

- F1** Reg. 4(c) substituted (N.I.) (27.1.2020) by [The Industrial Tribunals \(1996 Order\) \(Application of Conciliation Provisions\) Order \(Northern Ireland\) 2020 \(S.R. 2020/4\)](#), art. 1, **Sch. para. 64(2)**
- F2** Reg. 4(ca) inserted (N.I.) (27.1.2020) by [The Industrial Tribunals \(1996 Order\) \(Application of Conciliation Provisions\) Order \(Northern Ireland\) 2020 \(S.R. 2020/4\)](#), art. 1, **Sch. para. 64(3)**

Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Maritime Labour Convention) (Hours of Work) Regulations 2018, Section 4. (See end of Document for details)

Marginal Citations

- M1** S.I. 1992/807 (N.I. 5); the definition of “collective agreement” was amended by article 150 of, and Schedule 2 to, the Trade Union and Labour Relations (Northern Ireland) Order 1995 (S.I. 1995/1980 (N.I. 12)).
- M2** S.I. 1996/1921 (N.I. 18).
- M3** S.I. 1996/1921 (N.I. 18). Article 20 was amended by **regulation 33(2)(a)** of S.I. 1999/3323, **Schedule 2** to S.I. 2002/2836 (N.I. 2), **regulation 53(2)** of SR 2016 No. 49 and **section 8** of the Employment Act (Northern Ireland) 2011 (c.13 (N.I.)). There are other amending instruments which are not relevant to these Regulations.

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