



Number 19 of 1990

INDUSTRIAL RELATIONS ACT 1990

REVISED

Updated to 5 June 2013

This Revised Act is an administrative consolidation of the *Industrial Relations Act 1990*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including *Financial Emergency Measures in the Public Interest Act 2013* (18/2013), enacted 5 June 2013, and all statutory instruments up to and including *Sea-Fisheries (Technical Measures) Regulations 2013* (S.I. No. 197 of 2013), made 5 June 2013, were considered in the preparation of this Revised Act.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to revisedacts@lawreform.ie.



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Introduction

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

Related legislation

Industrial Relations Acts 1946 to 2012: Insofar as it relates to them, this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Industrial Relations (Amendment) Act 2012* (32/2012), s. 1(2)). The Acts in this group are:

- *Industrial Relations Act 1946* (26/1946)
- *Industrial Relations (Amendment) Act 1955* (19/1955) (repealed)
- *Industrial Relations Act 1969* (14/1969)
- *Industrial Relations Act 1976* (15/1976)
- *Industrial Relations Act 1990* (19/1990), other than Part II (ss. 8-22)
- *Industrial Relations (Amendment) Act 2001* (11/2001)
- *Industrial Relations (Miscellaneous Provisions) Act 2004* (4/2004) in so far as it relates to the *Industrial Relations Acts 1946 to 2001*
- *Industrial Relations (Amendment) Act 2012* (32/2012) other than ss. 16, 17 and 18

Trade Union Acts 1871 to 1990: Insofar as it relates to them, Part II of this Act is one of a group of Acts included in this collective citation, to be construed together as one (s. 2(2) of this Act). The Acts in this group are:

- *Trade Union Act 1871* (34 & 35 Vict. c. 31)
- *Trade Union Act Amendment Act 1876* (39 & 40 Vict. c. 22)
- *Trade Union Act 1913* (2 & 3 Geo. 5 c. 30)
- *Trade Union (Amalgamation) Act 1917* (7 & 8 Geo. 5. c. 24) (repealed)
- *Trade Union Act 1935* (35/1935)
- *Trade Union Act 1941* (22/1941)
- *Trade Union Act 1942* (23/1942)
- *Trade Union Act 1948* (11/1948) (spent)
- *Trade Union Act 1949* (11/1949) (spent)
- *Trade Union Act 1950* (19/1950) (spent)
- *Trade Union Act 1951* (14/1951) (spent)
- *Trade Union Act 1952* (13/1952)
- *Trade Union Act 1971* (33/1971)
- *Trade Union Act 1975* (4/1975)
- *Trade Disputes (Amendment) Act 1982* (15/1982) (repealed)

- *Industrial Relations Act 1990* (19/1990) Part II (ss. 8-22)

Annotations

This Revised Act is annotated and includes textual and non-textual amendments, statutory instruments made pursuant to the Act and previous affecting provisions.

An explanation of how to read annotations is available at www.lawreform.ie/annotations.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 2000, may be found in the Legislation Directory at www.irishstatutebook.ie.

Acts which affect or previously affected this revision

- *Education and Training Boards Act 2013* (11/2013)
- *Industrial Relations (Amendment) Act 2012* (32/2012)
- *Public Service Management (Recruitment and Appointments) Act 2004* (33/2004)
- *Equality Act 2004* (24/2004)
- *Industrial Relations (Miscellaneous Provisions) Act 2004* (4/2004)
- *Industrial Relations (Amendment) Act 2001* (11/2001)
- *National Minimum Wage Act 2000* (5/2000)
- *Employment Equality Act 1998* (21/1998)
- *Freedom of Information Act 1997* (13/1997)
- *Unfair Dismissals (Amendment) Act 1993* (22/1993)
- *Unfair Dismissals Act 1977* (10/1977)
- *Industrial Relations Act 1976* (15/1976)
- *Industrial Relations Act 1969* (14/1969)
- *Industrial Relations (Amendment) Act 1955* (19/1955)
- *Industrial Relations Act 1946* (26/1946)

All Acts up to and including *Financial Emergency Measures in the Public Interest Act 2013* (18/2013), enacted 5 June 2013, were considered in the preparation of this revision.

Statutory instruments which affect or previously affected this revision

- *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011*. (S.I. No. 418 of 2011)
- *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2011* (S.I. No. 213 of 2011)
- *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2010* (S.I. No. 602 of 2010)
- *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2010* (S.I. No. 448 of 2010)
- *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2010* (S.I. No. 164 of 2010)
- *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2009* (S.I. No. 374 of 2009)
- *Employment Regulation Order (Hotels Joint Labour Committee) 2009* (S.I. No. 359 of 2009)

- *Employment Regulation Order [catering Joint Labour Committee (For the Areas Known Until 1st January, 1994 As the County Borough of Dublin and the Borough of Dun Laoghaire)] 2009 (S.I. No. 224 of 2009)*
- *Employment Regulation Order [catering Joint Labour Committee (For the Areas Other Than the Areas Known Until 1st January, 1994 As the County Borough of Dublin and the Borough of Dun Laoghaire)] 2009 (S.I. No. 217 of 2009)*
- *Employment Regulation Order (Law Clerks Joint Labour Committee) 2009 (S.I. No. 215 of 2009)*
- *Hairdressing Joint Labour Committee Establishment Order 2009 (S.I. No. 45 of 2009)*
- *Hairdressing Joint Labour Committee (Abolition) Order 2009 (S.I. No. 44 of 2009)*
- *Hairdressing (Cork County Borough) Joint Labour Committee (Abolition) Order 2009 (S.I. No. 43 of 2009)*
- *Women's Clothing and Millinery Joint Labour Committee (Abolition) Order 2008 (S.I. No. 333 of 2008)*
- *Tailoring Joint Labour Committee (Abolition) Order 2008 (S.I. No. 332 of 2008)*
- *Shirtmaking Joint Labour Committee (Abolition) Order 2008 (S.I. No. 331 of 2008)*
- *Handkerchief and Household Piece Goods Joint Labour Committee (Abolition) Order 2008 (S.I. No. 330 of 2008)*
- *Clothing Joint Labour Committee Establishment Order 2008 (S.I. No. 329 of 2008)*
- *Employment Regulation Order (Hairdressing Joint Labour Committee) 2008 (S.I. No. 249 of 2008)*
- *Employment Regulation Order (Hotels Joint Labour Committee) 2008 (S.I. No. 149 of 2008)*
- *Employment Regulation Order (Hairdressing (for the Area Known Until 1st January, 2002 As Cork County Borough and, thereafter, Known As Cork City) Joint Labour Committee) 2008 (S.I. No. 144 of 2008)*
- *Employment Regulation Order Catering Joint Labour Committee (for Areas Other Than the Areas Known, Until 1st January, 1994, As the County Borough of Dublin and the Borough of Dun Laoghaire) 2008 (S.I. No. 142 of 2008)*
- *Industrial Relations Act 1990 (Code of Practice on Information and Consultation) (Declaration) Order 2008 (S.I. No. 132 of 2008)*
- *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2008 (S.I. No. 93 of 2008)*
- *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2008 (S.I. No. 5 of 2008)*
- *Contract Cleaning (City and County of Dublin) Joint Labour Committee (Abolition) Order 2007 (S.I. No. 624 of 2007)*
- *Contract Cleaning (Excluding the City and County of Dublin) Joint Labour Committee (Abolition) Order 2007 (S.I. No. 623 of 2007)*
- *Employment Regulation Order (Hairdressing Joint Labour Committee) (No. 2) 2007 (S.I. No. 505 of 2007)*
- *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2007 (S.I. No. 311 of 2007)*
- *Employment Regulation Order (Contract Cleaning (excluding the City and County of Dublin) Joint Labour Committee) 2007 (S.I. No. 310 of 2007)*
- *Employment Regulation Order (Catering Joint Labour Committee (For Areas Other Than the Areas Known, Until 1st January, 1994, As the County Borough of Dublin and the Borough of Dun Laoghaire) 2007 (S.I. No. 296 of 2007)*
- *Employment Regulation Order (Hairdressing (For The Area Known Until 1st January, 2002 As Cork County Borough And, Thereafter, Known As Cork City) Joint Labour Committee) 2007 (S.I. No. 244 of 2007)*
- *Industrial Relations Act 1990 (Code of Practice for Protecting Persons Employed in Other Peoples Homes) (Declaration) Order 2007 (S.I. No. 239 of 2007)*
- *Employment Regulation Order [Catering Joint Labour Committee (For the Areas Known Until 1st January, 1994 as the County Borough of Dublin and the Borough of Dun Laoghaire)] 2007 (S.I. No. 228 of 2007)*
- *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2007 (S.I. No. 190 of 2007)*
- *Employment Regulation Order (Law Clerks Joint Labour Committee) 2007 (S.I. No. 118 of 2007)*
- *Employment Regulation Order (Hairdressing Joint Labour Committee) 2007 (S.I. No. 7 of 2007)*
- *Employment Regulation Order (Hotels Joint Labour Committee) 2007 (S.I. No. 4 of 2007)*

- *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) (No 2) 2006* (S.I. No. 591 of 2006)
- *Employment Regulation Order (Provender Milling Joint Labour Committee) 2006* (S.I. No. 560 of 2006)
- *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 2006* (S.I. No. 559 of 2006)
- *Employment Regulation Order (Women's Clothing And Millinery Joint Labour Committee) 2006* (S.I. No. 516 of 2006)
- *Employment Regulation Order (Tailoring Joint Labour Committee) 2006* (S.I. No. 515 of 2006)
- *Employment Regulation Order (Shirtmaking Joint Labour Committee) 2006* (S.I. No. 514 of 2006)
- *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 2006* (S.I. No. 513 of 2006)
- *Employment Regulation Order (Security Industry Joint Labour Committee) 2006* (S.I. No. 500 of 2006)
- *Employment Regulation Order (Contract Cleaning (Excluding the City and County of Dublin) Joint Labour Committee) (No. 2) 2006* (S.I. No. 459 of 2006)
- *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) (No. 2) 2006* (S.I. No. 458 of 2006)
- *Employment Regulation Order (Hairdressing (for the Area Known Until 1st January, 2002 as Cork County Borough and, Thereafter, Known as Cork City) Joint Labour Committee) 2006* (S.I. No. 276 of 2006)
- *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2006* (S.I. No. 251 of 2006)
- *Employment Regulation Order (Law Clerks Joint Labour Committee) 2006* (S.I. No. 249 of 2006)
- *Employment Regulation Order (Contract Cleaning (Excluding the City and County of Dublin) Joint Labour Committee) 2006* (S.I. No. 73 of 2006)
- *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2006* (S.I. No. 72 of 2006)
- *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2006* (S.I. No. 24 of 2006)
- *Industrial Relations Act 1990 (Code of Practice on Access to Part-Time Working) (Declaration) Order 2006* (S.I. No. 8 of 2006)
- *Employment Regulation Order [Catering Joint Labour Committee (For The Areas Known Until 1st January, 1994 As The County Borough Of Dublin And The Borough Of Dun Laoghaire)] 2005* (S.I. No. 723 of 2005)
- *Employment Regulation Order (Catering Joint Labour Committee (For Areas Other Than The Areas Known, Until 1st January, 1994, As The County Borough Of Dublin And The Borough Of Dun Laoghaire) 2005* (S.I. No. 702 of 2005)
- *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 2005* (S.I. No. 609 of 2005)
- *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 2005* (S.I. No. 608 of 2005)
- *Employment Regulation Order (Tailoring Joint Labour Committee) 2005* (S.I. No. 607 of 2005)
- *Employment Regulation Order (Shirtmaking Joint Labour Committee) 2005* (S.I. No. 606 of 2005)
- *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2005* (S.I. No. 567 of 2005)
- *Employment Regulation Order (Hotels Joint Labour Committee) 2005* (S.I. No. 558 of 2005)
- *Employment Regulation Order (Contract Cleaning (Excluding the City and County of Dublin) Joint Labour Committee) 2005* (S.I. No. 524 of 2005)
- *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2005* (S.I. No. 523 of 2005)
- *Employment Regulation Order (Hairdressing (for the area known until 1st January, 2002 as Cork County Borough and, thereafter, known as Cork City) Joint Labour Committee) 2005* (S.I. No. 377 of 2005)
- *Employment Regulation Order (Hairdressing Joint Labour Committee) 2005* (S.I. No. 376 of 2005)
- *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2005* (S.I. No. 375 of 2005)
- *Employment Regulation Order (Law Clerks Joint Labour Committee) 2005* (S.I. No. 214 of 2005)

- *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 2005* (S.I. No. 195 of 2005)
- *Employment Regulation Order (Provender Milling Joint Labour Committee) 2005* (S.I. No. 194 of 2005)
- *Employment Regulation Order (Security Industry Joint Labour Committee) 2005* (S.I. No. 78 of 2005)
- *Employment Regulation Order [Catering Joint Labour Committee (For The Areas Known Until 1st January, 1994 As The County Borough of Dublin and The Borough of Dun Laoghaire)] 2004* (S.I. No. 702 of 2004)
- *Employment Regulation Order (Women's Clothing and Millinery) Joint Labour Committee 2004* (S.I. No. 684 of 2004)
- *Employment Regulation Order (Tailoring) Joint Labour Committee 2004* (S.I. No. 683 of 2004)
- *Employment Regulation Order (Shirtmaking) Joint Labour Committee, 2004* (S.I. No. 682 of 2004)
- *Employment Regulation Order (Handkerchief and Household Piece Goods) Joint Labour Committee 2004* (S.I. No. 681 of 2004)
- *Employment Regulation Order (Aerated Waters and Wholesale Bottling) Joint Labour Committee 2004* (S.I. No. 552 of 2004)
- *Employment Regulation Order (Law Clerks) Joint Labour Committee 2004* (S.I. No. 522 of 2004)
- *Employment Regulation Order (Hairdressing (Cork County Borough) Joint Labour Committee) (No. 2) 2004* (S.I. No. 519 of 2004)
- *Employment Regulation Order (Hairdressing Joint Labour Committee) 2004* (S.I. No. 518 of 2004)
- *Employment Regulation Order (Catering Joint Labour Committee (For Areas Other Than The Areas Known, Until 1st January, 1994, As The County Borough of Dublin and The Borough of Dun Laoghaire) 2004* (S.I. No. 144 of 2004)
- *Industrial Relations Act 1990 (Code of Practice on Victimisation) (Declaration) Order 2004* (S.I. No. 139 of 2004)
- *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2004* (S.I. No. 88 of 2004)
- *Industrial Relations Act 1990 (Enhanced Code of Practice on Voluntary Dispute Resolution) (Declaration) Order 2004* (S.I. No. 76 of 2004)
- *Employment Regulation Order (Contract Cleaning (Excluding The City and County of Dublin) Joint Labour Committee) 2004* (S.I. No. 60 of 2004)
- *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2004* (S.I. No. 59 of 2004)
- *Employment Regulation Order (Hairdressing (Cork County Borough) Joint Labour Committee) 2004* (S.I. No. 43 of 2004)
- *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2004* (S.I. No. 33 of 2004)
- *Employment Regulation Order (Hotels Joint Labour Committee) 2004* (S.I. No. 15 of 2004)
- *Employment Regulation Order (Security Industry Joint Labour Committee) 2003* (S.I. No. 631 of 2003)
- *Employment Regulation Order (Hairdressing Joint Labour Committee) 2003* (S.I. No. 612 of 2003)
- *Employment Regulation Order (Law Clerks Joint Labour Committee) (No. 2) 2003* (S.I. No. 543 of 2003)
- *Employment Regulation Order (Catering Joint Labour Committee (For Areas Other Than The Areas Known, Until 1st January, 1994, As The County Borough of Dublin and The Borough of Dun Laoghaire) 2003* (S.I. No. 460 of 2003)
- *Employment Regulation Order (Catering Joint Labour Committee (For The Areas Known Until 1st January, 1994 As The County Borough of Dublin and The Borough of Dun Laoghaire) 2003* (S.I. No. 457 of 2003)
- *Employment Regulation Order (Provender Milling Joint Labour Committee) 2003* (S.I. No. 355 of 2003)
- *Employment Regulation Order (Contract Cleaning (Excluding The City and County of Dublin) Joint Labour Committee) 2003* (S.I. No. 354 of 2003)
- *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2003* (S.I. No. 353 of 2003)
- *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee), 2003* (S.I. No. 282 of 2003)
- *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 2003* (S.I. No. 225 of 2003)

- *Employment Regulation Order (Tailoring Joint Labour Committee) 2003* (S.I. No. 224 of 2003)
- *Employment Regulation Order (Shirtmaking Joint Labour Committee) 2003* (S.I. No. 223 of 2003)
- *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 2003* (S.I. No. 222 of 2003)
- *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2003* (S.I. No. 185 of 2003)
- *Employment Regulation Order (Law Clerks Joint Labour Committee) 2003* (S.I. No. 154 of 2003)
- *Employment Regulation Order (Hotels Joint Labour Committee) 2003* (S.I. No. 96 of 2003)
- *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2002* (S.I. No. 548 of 2002)
- *Employment Regulation Order (Hairdressing Joint Labour Committee) 2002* (S.I. No. 532 of 2002)
- *Employment Regulation Order (Catering Joint Labour Committee) 2002* (S.I. No. 475 of 2002)
- *Employment Regulation Order (Provender Milling Joint Labour Committee) (No. 2) 2002* (S.I. No. 375 of 2002)
- *Employment Regulation Order (Provender Milling Joint Labour Committee) 2002* (S.I. No. 353 of 2002)
- *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 2002* (S.I. No. 209 of 2002)
- *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 2002* (S.I. No. 203 of 2002)
- *Employment Regulation Order (Tailoring Joint Labour Committee) 2002* (S.I. No. 202 of 2002)
- *Employment Regulation Order (Shirtmaking Joint Labour Committee) 2002* (S.I. No. 201 of 2002)
- *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 2002* (S.I. No. 200 of 2002)
- *Employment Regulation Order (Contract Cleaning (Excluding The City and County of Dublin) Joint Labour Committee) 2002* (S.I. No. 158 of 2002)
- *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2002* (S.I. No. 157 of 2002)
- *Employment Regulation Order (Hotels Joint Labour Committee) 2002* (S.I. No. 137 of 2002)
- *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2002* (S.I. No. 136 of 2002)
- *Employment Regulation Order (Law Clerks Joint Labour Committee) 2002* (S.I. No. 88 of 2002)
- *Industrial Relations Act 1990 (Code of Practice Detailing Procedures For Addressing Bullying in The Workplace) (Declaration) Order 2002* (S.I. No. 17 of 2002)
- *Employment Regulation Order (Catering Joint Labour Committee) 2001* (S.I. No. 303 of 2001)
- *Employment Regulation Order (Provender Milling Joint Labour Committee) 2001* (S.I. No. 299 of 2001)
- *Employment Regulation Order (Shirtmaking Joint Labour Committee) 2001* (S.I. No. 260 of 2001)
- *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 2001* (S.I. No. 259 of 2001)
- *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 2001* (S.I. No. 258 of 2001)
- *Employment Regulation Order (Tailoring Joint Labour Committee) 2001* (S.I. No. 257 of 2001)
- *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2001* (S.I. No. 208 of 2001)
- *Employment Regulation Order (Contract Cleaning (Excluding The City and County of Dublin) Joint Labour Committee) 2001* (S.I. No. 185 of 2001)
- *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2001* (S.I. No. 184 of 2001)
- *Freedom of Information Act, 1997 (Prescribed Bodies) (No. 3) Regulations 2001* (S.I. No. 128 of 2001)
- *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2001* (S.I. No. 123 of 2001)

- *Employment Regulation Order (Law Clerks Joint Labour Committee) 2001* (S.I. No. 122 of 2001)
- *Employment Regulation Order (Hairdressing Joint Labour Committee) 2001* (S.I. No. 96 of 2001)
- *Employment Regulation Order (Security Industry Joint Labour Committee), 2001* (S.I. No. 35 of 2001)
- *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 2001* (S.I. No. 10 of 2001)
- *Employment Regulation Order (Hotels Joint Labour Committee) 2000* (S.I. No. 400 of 2000)
- *Employment Regulation Order (Catering Joint Labour Committee) 2000* (S.I. No. 285 of 2000)
- *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 2000* (S.I. No. 277 of 2000)
- *Employment Regulation Order (Tailoring Joint Labour Committee) 2000* (S.I. No. 276 of 2000)
- *Employment Regulation Order (Shirtmaking Joint Labour Committee) 2000* (S.I. No. 275 of 2000)
- *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 2000* (S.I. No. 274 of 2000)
- *Employment Regulation Order (Provender Milling Joint Labour Committee) (No. 2) 2000* (S.I. No. 259 of 2000)
- *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2000* (S.I. No. 236 of 2000)
- *Employment Regulation Order (Hairdressing Joint Labour Committee) (No. 2) 2000* (S.I. No. 228 of 2000)
- *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 2000* (S.I. No. 205 of 2000)
- *Employment Regulation Order (Law Clerks Joint Labour Committee) 2000* (S.I. No. 193 of 2000)
- *Industrial Relations Act, 1990 (Code of Practice on Grievance and Disciplinary Procedures) (Declaration) Order 2000* (S.I. No. 146 of 2000)
- *Industrial Relations Act, 1990 (Code of Practice on Voluntary Dispute Resolution) (Declaration) Order 2000* (S.I. No. 145 of 2000)
- *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2000* (S.I. No. 84 of 2000)
- *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2000* (S.I. No. 51 of 2000)
- *Employment Regulation Order (Provender Milling Joint Labour Committee) 2000* (S.I. No. 43 of 2000)
- *Employment Regulation Order (Security Industry Joint Labour Committee) 2000* (S.I. No. 20 of 2000)
- *Employment Regulation Order (Hairdressing Joint Labour Committee) 2000* (S.I. No. 1 of 2000)
- *Contract Cleaning (Excluding The City and County of Dublin) Joint Labour Committee Establishment Order 1999* (S.I. No. 405 of 1999)
- *Employment Regulation Order (Hotels Joint Labour Committee) 1999* (S.I. No. 283 of 1999)
- *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 1999* (S.I. No. 261 of 1999)
- *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1999* (S.I. No. 255 of 1999)
- *Employment Regulation Order (Provender Milling Joint Labour Committee) (No. 2) 1999* (S.I. No. 236 of 1999)
- *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee), 1999* (S.I. No. 152 of 1999)
- *Employment Regulation Order (Catering Joint Labour Committee) 1999* (S.I. No. 68 of 1999)
- *Employment Regulation Order (Law Clerks Joint Labour Committee) 1999* (S.I. No. 67 of 1999)
- *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 1999* (S.I. No. 36 of 1999)
- *Employment Regulation Order (Tailoring Joint Labour Committee) 1999* (S.I. No. 35 of 1999)
- *Employment Regulation Order (Provender Milling Joint Labour Committee) 1999* (S.I. No. 2 of 1999)

- *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) (No. 2) 1998* (S.I. No. 509 of 1998)
- *Employment Regulation Order (Shirtmaking Joint Labour Committee) (No. 2) 1998* (S.I. No. 508 of 1998)
- *Security Industry Joint Labour Committee Establishment Order 1998* (S.I. No. 377 of 1998)
- *Employment Regulation Order (Hotels Joint Labour Committee) 1998* (S.I. No. 330 of 1998)
- *Employment Regulation Order (Catering Joint Labour Committee) 1998* (S.I. No. 329 of 1998)
- *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) (No. 2) 1998* (S.I. No. 313 of 1998)
- *Employment Regulation Order (Hairdressing Joint Labour Committee) 1998* (S.I. No. 308 of 1998)
- *Employment Regulation Order (Tailoring Joint Labour Committee) (No. 2) 1998* (S.I. No. 277 of 1998)
- *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) (No. 2) 1998* (S.I. No. 276 of 1998)
- *Industrial Relations Act, 1990 (Definition of "Worker") Order 1998* (S.I. No. 264 of 1998)
- *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1998* (S.I. No. 221 of 1998)
- *Employment Regulation Order (Provender Milling Joint Labour Committee) 1998* (S.I. No. 197 of 1998)
- *Employment Regulation Order (Law Clerks Joint Labour Committee) 1998* (S.I. No. 181 of 1998)
- *Employment Regulation Order (Contract Cleaning (City and County of Dublin Joint Labour Committee) 1998* (S.I. No. 176 of 1998)
- *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 1998* (S.I. No. 18 of 1998)
- *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 1998* (S.I. No. 11 of 1998)
- *Employment Regulation Order (Shirtmaking Joint Labour Committee) 1998* (S.I. No. 10 of 1998)
- *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 1998* (S.I. No. 9 of 1998)
- *Employment Regulation Order (Tailoring Joint Labour Committee) 1998* (S.I. No. 8 of 1998)
- *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 1997* (S.I. No. 495 of 1997)
- *Employment Regulation Order (Hairdressing Joint Labour Committee) 1997* (S.I. No. 354 of 1997)
- *Employment Regulation Order (Hotels Joint Labour Committee) 1997* (S.I. No. 342 of 1997)
- *Employment Regulation Order (Catering Joint Labour Committees 1997* (S.I. No. 341 of 1997)
- *Employment Regulation Order (Provender Milling Joint Labour Committee) 1997* (S.I. No. 274 of 1997)
- *Employment Regulation Order (Law Clerks Joint Labour Committee) 1997* (S.I. No. 273 of 1997)
- *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 1997* (S.I. No. 238 of 1997)
- *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1997* (S.I. No. 216 of 1997)
- *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1997* (S.I. No. 187 of 1997)
- *Hotels Joint Labour Committee (For the Areas Known Until 1st January, 1994 As the County Borough of Dublin and the Borough of Dun Laoghaire) Establishment Order 1997* (S.I. No. 174 of 1997)
- *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 1997* (S.I. No. 115 of 1997)
- *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 1997* (S.I. No. 114 of 1997)
- *Employment Regulation Order Shirtmaking Joint Labour Committee) 1997* (S.I. No. 113 of 1997)

- *Employment Regulation Order (Tailoring Joint Labour Committee) 1997* (S.I. No. 112 of 1997)
- *Employment Regulation Order (Hotels Joint Labour Committee) 1996* (S.I. No. 208 of 1996)
- *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1996* (S.I. No. 194 of 1996)
- *Employment Regulation Order (Catering Joint Labour Committee) 1996* (S.I. No. 193 of 1996)
- *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 1996* (S.I. No. 181 of 1996)
- *Employment Regulation Order (Provender Milling Joint Labour Committee) 1996* (S.I. No. 168 of 1996)
- *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1996* (S.I. No. 141 of 1996)
- *Industrial Relations Act, 1990, Code of Practice on Disciplinary Procedures (Declaration) Order 1996* (S.I. No. 117 of 1996)
- *Employment Regulation Order (Law Clerks Joint Labour Committee) 1996* (S.I. No. 72 of 1996)
- *Employment Regulation Order (Hairdressing Joint Labour Committee) 1996* (S.I. No. 20 of 1996)
- *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 1995* (S.I. No. 333 of 1995)
- *Employment Regulation Order (Shirtmaking Joint Labour Committee) 1995* (S.I. No. 332 of 1995)
- *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 1995* (S.I. No. 331 of 1995)
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- *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 1995* (S.I. No. 295 of 1995)
- *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1995* (S.I. No. 264 of 1995)
- *Employment Regulation Order (Provender Milling Joint Labour Committee) 1995* (S.I. No. 263 of 1995)
- *Employment Regulation Order (Catering Joint Labour Committee) 1995* (S.I. No. 210 of 1995)
- *Employment Regulation Order (Hotels Joint Labour Committee) 1995* (S.I. No. 193 of 1995)
- *Employment Regulation Order (Law Clerks Joint Labour Committee) 1995* (S.I. No. 189 of 1995)
- *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1995* (S.I. No. 180 of 1995)
- *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 1995* (S.I. No. 123 of 1995)
- *Employment Regulation Order (Hairdressing Joint Labour Committee) 1995* (S.I. No. 48 of 1995)
- *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1995* (S.I. No. 24 of 1995)
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- *Employment Regulation Order (Tailoring Joint Labour Committee), (No. 2) 1994* (S.I. No. 434 of 1994)
- *Employment Regulation Order (Shirtmaking Joint Labour Committee) (No. 2) 1994* (S.I. No. 433 of 1994)
- *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) (No. 2) 1994* (S.I. No. 432 of 1994)
- *Employment Regulation Order (Law Clerks Joint Labour Committee) 1994* (S.I. No. 325 of 1994)
- *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 1994* (S.I. No. 250 of 1994)
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- *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1994* (S.I. No. 169 of 1994)
- *Employment Regulation Order (Provender Milling Joint Labour Committee) 1994* (S.I. No. 164 of 1994)
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- *Employment Regulation Order (Hairdressing (Cork County Borough) Joint Labour Committee) 1994* (S.I. No. 40 of 1994)
- *Employment Regulation Order (Hairdressing Joint Labour Committee) 1993* (S.I. No. 333 of 1993)
- *Employment Regulation Order (Law Clerks Joint Labour Committee) 1993* (S.I. No. 239 of 1993)
- *Employment Regulation Order (Hotels Joint Labour Committee) 1993* (S.I. No. 221 of 1993)
- *Employment Regulation Order (Catering Joint Labour Committee) 1993* (S.I. No. 220 of 1993)
- *Employment Regulation Order (Provender Milling Joint Labour Committee) 1993* (S.I. No. 171 of 1993)
- *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 1993* (S.I. No. 170 of 1993)
- *Industrial Relations Act, 1990, Code of Practice on Employee Representatives (Declaration) Order 1993* (S.I. No. 169 of 1993)
- *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 1993* (S.I. No. 148 of 1993)
- *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1993* (S.I. No. 140 of 1993)
- *Labour (Transfer of Departmental Administration and Ministerial Functions) Order 1993* (S.I. No. 18 of 1993)
- *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 1992* (S.I. No. 377 of 1992)
- *Employment Regulation Order (Shirtmaking Joint Labour Committee) 1992* (S.I. No. 376 of 1992)
- *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 1992* (S.I. No. 375 of 1992)
- *Employment Regulation Order (Tailoring Joint Labour Committee) 1992* (S.I. No. 374 of 1992)
- *Catering Joint Labour Committee (County Borough of Dublin and The Borough of Dun Laoghaire) Establishment Order 1992* (S.I. No. 351 of 1992)
- *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1992* (S.I. No. 305 of 1992)
- *Catering Joint Labour Committee Establishment (Amendment) Order 1992* (S.I. No. 236 of 1992)
- *Employment Regulation Order (Hairdressing Joint Labour Committee) 1992* (S.I. No. 185 of 1992)
- *Employment Regulation Order (Law Clerks Joint Labour Committee) 1992* (S.I. No. 171 of 1992)
- *Labour Court (Fourth Division) Order, 1979 (Revocation) Order 1992* (S.I. No. 161 of 1992)
- *Employment Regulation Order (Catering Joint Labour Committee) 1992* (S.I. No. 151 of 1992)
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- *Employment Regulation Order (Provender Milling Joint Labour Committee) 1992* (S.I. No. 139 of 1992)

- *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1992* (S.I. No. 138 of 1992)
- *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 1992* (S.I. No. 94 of 1992)
- *Industrial Relations Act, 1990, Code of Practice on Dispute Procedures (Declaration) Order 1992* (S.I. No. 1 of 1992)
- *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee), No. 2 1991* (S.I. No. 324 of 1991)
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- *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1991* (S.I. No. 256 of 1991)
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- *Employment Regulation Order (Catering Joint Labour Committee) 1991* (S.I. No. 155 of 1991)
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- *Employment Regulation Order (Hairdressing Joint Labour Committee) 1991* (S.I. No. 132 of 1991)
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- *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 1991* (S.I. No. 92 of 1991)
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- *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 1991* (S.I. No. 78 of 1991)
- *Retail Grocery and Allied Trades Joint Labour Committee Establishment Order 1991* (S.I. No. 58 of 1991)
- *Labour Relations Commission (Establishment) Order 1991* (S.I. No. 7 of 1991)
- *Employment Regulations Order (Agricultural Workers Joint Labour Committee) No. 2 1990* (S.I. No. 333 of 1990)

All statutory instruments up to and including *Sea-Fisheries (Technical Measures) Regulations 2013* (S.I. No. 197 of 2013), made 5 June 2013, were considered in the preparation of this revision.

Court decision which affects or previously affected this revision

- *John Grace Fried Chicken Ltd and Others -v- Catering Joint Labour Committee and Others* [2011] IEHC 277



Number 19 of 1990

INDUSTRIAL RELATIONS ACT 1990

REVISED

Updated to 5 June 2013

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Number 19 of 1990

INDUSTRIAL RELATIONS ACT 1990

REVISED

Updated to 5 June 2013

AN ACT TO MAKE FURTHER AND BETTER PROVISION FOR PROMOTING HARMONIOUS RELATIONS BETWEEN WORKERS AND EMPLOYERS, AND TO AMEND THE LAW RELATING TO TRADE UNIONS AND FOR THESE AND OTHER PURPOSES TO AMEND THE INDUSTRIAL RELATIONS ACTS, 1946 TO 1976, AND THE TRADE UNION ACTS, 1871 TO 1982. [18th July, 1990]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Annotations

Modifications (not altering text):

- C1** Act included in collective citation and construction (1.08.2012) by *Industrial Relations (Amendment) Act 2012* (32/2012), s. 1(2), S.I. No. 302 of 2012.

Short title, collective citation, construction and commencement.

1.— ...

(2) The Industrial Relations Acts 1946 to 2004 and this Act (other than *sections 16, 17 and 18*) may be cited together as the Industrial Relations Acts 1946 to 2012 and shall be construed together as one.

...

Acts included or previously included in the collective citation and construction:

- *Industrial Relations (Amendment) Act 2012* (32/2012) (1.08.2012) by s. 1(2), S.I. No. 302 of 2012.
- *Industrial Relations (Miscellaneous Provisions) Act 2004* (4/2004), in so far as it relates to *Industrial Relations Acts 1946 to 2001* (6.04.2004) by s. 17(2), S.I. No. 138 of 2004.
- *Industrial Relations (Amendment) Act 2001* (11/2001) (31.05.2001) by s. 13(2), S.I. No. 232 of 2001.
- *Industrial Relations Act 1990* (19/1990), other than Part II (ss. 8-22), (18.07.1990) by s. 2(1), commenced on enactment.
- *Industrial Relations Act 1976* (15/1976) (18.05.1976) by s. 12, commenced on enactment.
- *Industrial Relations Act 1969* (14/1969) (3.06.1969) by s. 24, commenced on enactment.
- *Industrial Relations (Amendment) Act 1955* (19/1955) (29.07.1955) by s. 4(2), commenced on enactment; repealed (3.06.1969) by *Industrial Relations Act 1969* (14/1969), s. 23 and sch., commenced on enactment.
- *Industrial Relations Act 1946* (26/1946) (29.07.1955) by *Industrial Relations (Amendment) Act 1955* (19/1955), s. 4(2), commenced on enactment.

- C2** Application of collectively cited *Industrial Relations Acts* restricted (31.05.2001) by *Industrial Relations (Amendment) Act 2001* (11/2001), s. 2(1), S.I. No. 232 of 2001, as amended (6.04.2004) by *Industrial Relations (Miscellaneous Provisions) Act 2004* (4/2004), s. 2, S.I. No. 138 of 2004.

Investigation of dispute by Court.

2.—(1) Notwithstanding anything contained in the Industrial Relations Acts, 1946 to 1990, at the request of a trade union or excepted body, the Court may investigate a trade dispute where the Court is satisfied that—

[(a) it is not the practice of the employer to engage in collective bargaining negotiations in respect of the grade, group or category of workers who are party to the trade dispute and the internal dispute resolution procedures (if any) normally used by the parties concerned have failed to resolve the dispute,

(b) either—

(i) the employer has failed to observe—

(I) a provision of the Code of Practice on Voluntary Dispute Resolution under section 42 of the Industrial Relations Act 1990 specifying the period of time for the doing of any thing (or such a provision of any code of practice amending or replacing that code), or

(II) any agreement by the parties extending that period of time,

or

(ii) the dispute having been referred to the Commission for resolution in accordance with the provisions of such code, no further efforts on the part of the Commission will, in the opinion of the Commission, advance the resolution of the dispute and the Court has received a report from the Commission to that effect,]

(c) the trade union or the excepted body or the employees, as the case may be, have not acted in a manner which, in the opinion of the Court, has frustrated the employer in observing a provision of such code of practice, and

(d) the trade union or the excepted body or the employees, as the case may be, have not had recourse to industrial action after the dispute in question was referred to the Commission in accordance with the provisions of such code of practice.

...

- C3** Application of collectively cited *Industrial Relations Acts* potentially restricted (1.04.2000) by *National Minimum Wage Act 2000* (5/2000), s. 42, S.I. No. 96 of 2000.

Act not to derogate from certain provisions of or under Industrial Relations Acts, 1946 to 1990.

42.— The provisions of this Act are in addition to and not in derogation of the Industrial Relations Acts, 1946 to 1990, or—

(a) Employment Regulation Orders, and the enforcement of such Orders, made under those Acts, or

(b) Registered Employment Agreements, and the enforcement of such Agreements, on the register under those Acts on the commencement of this section,

except that where a minimum hourly rate of pay in accordance with this Act is a greater amount than the minimum rate of pay prescribed under an Employment Regulation Order or such a Registered Employment Agreement, the employee's entitlement to pay in accordance with this Act shall prevail.

- C4** Functions transferred and terms "Department of Labour" and "Minister for Labour" construed (20.01.1993) by *Labour (Transfer of Departmental Administration and Ministerial Functions) Order 1993* (S.I. No. 18 of 1993), arts. 3, 4, and sch. pt. 1, subject to transitional provisions in arts. 5-9. Note that the name of the Minister for and Department of Industry and Commerce was changed:

- to the Minister for and Department of Enterprise and Employment (20.01.1993) by *Industry and Commerce (Alteration of Name of Department and Title of Minister) Order 1993* (S.I. No. 19 of 1993);

- to the Minister for and Department of Enterprise, Trade and Employment (12.07.1997) by *Enterprise and Employment (Alteration of Name of Department and Title of Minister) Order 1997* (S.I. No. 307 of 1997);
- to the Minister for and Department of Enterprise, Trade and Innovation (2.05.2010) by *Enterprise, Trade and Employment (Alteration of Name of Department and Title of Minister) Order 2010* (S.I. No. 185 of 2010); and
- to the Minister for and Department of Jobs, Enterprise and Innovation (2.06.2011) by *Enterprise, Trade and Innovation (Alteration of Name of Department and Title of Minister) Order 2011* (S.I. No. 245 of 2011).

...

3. (1) The administration and business in connection with the exercise, performance or execution of any functions transferred by Article 4 of this Order are hereby transferred to the Department of Industry and Commerce.

(2) References to the Department of Labour contained in any Act or instrument made thereunder and relating to any administration and business transferred by paragraph (1) of this Article shall, on and after the commencement of this Order, be construed as references to the Department of Industry and Commerce.

4. (1) There are hereby transferred to the Minister for Industry and Commerce the functions vested in the Minister for Labour by or under:—

(a) any Act mentioned in the Schedule to this Order, and

...

(c) the provisions mentioned in the Schedule to the Order so mentioned.

(2) References to the Minister for Labour contained in any Act or instrument thereunder and relating to any functions transferred by this Article shall, on and after the commencement of this Order, be construed as references to the Minister for Industry and Commerce.

...

Schedule

Part I

Acts functions under which are transferred from the Minister for Labour to the Minister for Industry and Commerce.

...

Industrial Relations Acts, 1946 to 1990.

...

- C5** Application of collectively cited *Industrial Relations Acts 1946 to 1990* restricted (9.05.1977) by *Unfair Dismissals Act 1977* (10/1977), s. 8(10), S.I. No. 138 of 1977, as substituted (1.10.1993) by *Unfair Dismissals (Amendment) Act 1993* (22/1993), s. 7(d), commenced as per s. 17(4).

Determination of claims for unfair dismissal.

8.— ...

[(10) (a) A dispute in relation to a dismissal as respects which a recommendation has been made by a rights commissioner under this Act or a hearing by the Tribunal under this Act has commenced shall not be referred, under the Industrial Relations Acts, 1946 to 1990, to a rights commissioner or the Labour Court.

(b) Where, in relation to a dismissal, a recommendation has been made by a rights commissioner, or a hearing by the Labour Court under the said Acts has commenced, the employee concerned shall not be entitled to redress under this Act in respect of the dismissal.]

...

Editorial Notes:

- E1** Code of practice adopted (29.04.2008) by *Industrial Relations Act 1990 (Code of Practice on Information and Consultation) (Declaration) Order 2008* (S.I. No. 132 of 2008), art. 2 and sch.
- E2** Code of practice adopted (18.05.2007) by *Industrial Relations Act 1990 (Code of Practice for Protecting Persons Employed in Other Peoples Homes) (Declaration) Order 2007* (S.I. No. 239 of 2007), art. 2 and sch.
- E3** Code of practice adopted (12.01.2006) by *Industrial Relations Act 1990 (Code of Practice on Access to Part-Time Working) (Declaration) Order 2006* (S.I. No. 8 of 2006), art. 2 and sch.
- E4** Code of practice adopted (6.04.2004) by *Industrial Relations Act 1990 (Code of Practice on Victimisation) (Declaration) Order 2004* (S.I. No. 139 of 2004), art. 2 and sch.
- E5** Code of practice adopted (13.01.2004) by *Industrial Relations Act 1990 (Enhanced Code of Practice on Voluntary Dispute Resolution) (Declaration) Order 2004* (S.I. No. 76 of 2004), art. 2 and sch.
- E6** Code of practice adopted (25.01.2002) by *Industrial Relations Act 1990 (Code of Practice Detailing Procedures For Addressing Bullying in The Workplace) (Declaration) Order 2002* (S.I. No. 17 of 2002), art. 2 and sch.
- E7** Code of practice adopted (26.05.2000) by *Industrial Relations Act, 1990 (Code of Practice on Grievance and Disciplinary Procedures) (Declaration) Order 2000* (S.I. No. 146 of 2000), art. 2 and sch.
- E8** Code of practice adopted (26.05.2000) by *Industrial Relations Act, 1990 (Code of Practice on Voluntary Dispute Resolution) (Declaration) Order 2000* (S.I. No. 145 of 2000), art. 2 and sch.
- E9** Code of practice adopted (6.05.1996) by *Industrial Relations Act, 1990, Code of Practice on Disciplinary Procedures (Declaration) Order 1996* (S.I. No. 117 of 1996), art. 2 and sch.
- E10** Code of practice adopted (25.06.1993) by *Industrial Relations Act, 1990, Code of Practice on Employee Representatives (Declaration) Order 1993* (S.I. No. 169 of 1993), art. 2 and sch.
- E11** Code of practice adopted (6.01.1992) by *Industrial Relations Act, 1990, Code of Practice on Dispute Procedures (Declaration) Order 1992* (S.I. No. 1 of 1992), art. 2 and sch.

PART I**PRELIMINARY**

Short title. **1.**—This Act may be cited as the Industrial Relations Act, 1990.

Collective citations and construction. **2.**—(1) This Act (other than *Part II*) and the Industrial Relations Acts, 1946 to 1976, may be cited together as the Industrial Relations Acts, 1946 to 1990, and shall be construed together as one Act.

(2) *Part II* of this Act and the Trade Union Acts, 1871 to 1982, may be cited together as the Trade Union Acts, 1871 to 1990, and shall be construed together as one Act.

Interpretation. **3.**—(1) In this Act—

“the Minister” means the Minister for Labour;

“the Court” means the Labour Court;

“the Commission” means the Labour Relations Commission established by *section 24*.

(2) In this Act—

- (a) a reference to a Part or section is to a Part or section of this Act unless it is indicated that a reference to some other enactment is intended;
- (b) a reference to a subsection or paragraph is to the subsection or paragraph of the provision in which the reference occurs, unless it is indicated that a reference to some other provision is intended; and
- (c) a reference to any other enactment shall, unless the context otherwise requires, be construed as a reference to that enactment as amended by or under any other enactment, including this Act.

(3) In any enactment other than this Act, a reference to the Trade Disputes Act, 1906 (repealed by this Act) or to any provision thereof shall, without prejudice to section 20 (1) of the Interpretation Act, 1937, be construed as a reference to any relevant provision of *Part II* of this Act.

Increase of fines. **4.—**(1) A person convicted of an offence for which a penalty is provided in any enactment indicated in the *First Schedule* to this Act at any reference number shall, in lieu of the fine provided in that enactment, be liable to the fine specified in *column (3)* of that Schedule at that reference number, and that enactment shall be construed and have effect accordingly.

(2) Where it is provided in the *First Schedule* to this Act at any reference number that a person shall be liable to a daily default fine, he shall be guilty of contravening the relevant enactment on every day on which the contravention continues after conviction of the original contravention and for each such offence he shall be liable to a fine not exceeding the amount specified at that reference number instead of the fine specified for the original contravention.

(3) The provisions of this section shall not apply to any offence committed before the passing of this Act.

Summary proceedings for an offence. **5.—**Notwithstanding section 10 (4) of the Petty Sessions (Ireland) Act, 1851, summary proceedings for an offence under the *Industrial Relations Acts, 1946 to 1990*, may be instituted within one year from the date of the offence.

Expenses. **6.—**The expenses incurred in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

Repeals. **7.—**The enactments referred to in the *Second Schedule* to this Act are hereby repealed to the extent specified in the third column of that Schedule.

PART II

TRADE UNION LAW

Trade Disputes

Definitions for *Part II*. **8.—**In this Part, save where the context otherwise requires—

“employer” means a person for whom one or more workers work or have worked or normally work or seek to work having previously worked for that person;

“trade dispute” means any dispute between employers and workers which is connected with the employment or non-employment, or the terms or conditions of or affecting the employment, of any person;

“trade union” means a trade union which is the holder of a negotiation licence under Part II of the Trade Union Act, 1941;

“worker” means any person who is or was employed whether or not in the employment of the employer with whom a trade dispute arises, but does not include a member of the Defence Forces or of the Garda Síochána;

“industrial action” means any action which affects, or is likely to affect, the terms or conditions, whether express or implied, of a contract and which is taken by any number or body of workers acting in combination or under a common understanding as a means of compelling their employer, or to aid other workers in compelling their employer, to accept or not to accept terms or conditions of or affecting employment;

“strike” means a cessation of work by any number or body of workers acting in combination or a concerted refusal or a refusal under a common understanding of any number of workers to continue to work for their employer done as a means of compelling their employer, or to aid other workers in compelling their employer, to accept or not to accept terms or conditions of or affecting employment.

Application of provisions of Part II.

9.—(1) Sections 11, 12 and 13 shall apply only in relation to authorised trade unions which for the time being are holders of negotiation licences under the Trade Union Act, 1941, and the members and officials of such trade unions, and not otherwise.

(2) Where in relation to the employment or non-employment or the terms or conditions of or affecting the employment of one individual worker, there are agreed procedures availed of by custom or in practice in the employment concerned, or provided for in a collective agreement, for the resolution of individual grievances, including dismissals, sections 10, 11 and 12 shall apply only where those procedures have been resorted to and exhausted.

(3) Procedures shall be deemed to be exhausted if at any stage an employer fails or refuses to comply with them.

(4) The procedures referred to in subsection (2) may include resort to such persons or bodies as a rights commissioner, the Labour Relations Commission, the Labour Court, F1[the Director of the Equality Tribunal] and the Employment Appeals Tribunal but shall not include an appeal to a court.

Annotations

Amendments:

- F1** Substituted (18.10.1999) by *Employment Equality Act 1998* (21/1998), s. 105(a), S.I. No. 320 of 1999 as substituted (18.07.2004) by *Equality Act 2004* (24/2004), s. 45, commenced on enactment.

Acts in contemplation or furtherance of trade dispute.

10.—(1) An agreement or combination by two or more persons to do or procure to be done any act in contemplation or furtherance of a trade dispute shall not be indictable as a conspiracy if such act committed by one person would not be punishable as a crime.

(2) An act done in pursuance of an agreement or combination by two or more persons, if done in contemplation or furtherance of a trade dispute, shall not be actionable unless the act, if done without any such agreement or combination, would be actionable.

(3) Section 3 of the Conspiracy, and Protection of Property Act, 1875, and subsections (1) and (2) of this section shall be construed together as one section.

Peaceful picketing.

11.—(1) It shall be lawful for one or more persons, acting on their own behalf or on behalf of a trade union in contemplation or furtherance of a trade dispute, to attend at, or where that is not practicable, at the approaches to, a place where their employer works or carries on business, if they so attend merely for the purpose of peacefully obtaining or communicating information or of peacefully persuading any person to work or abstain from working.

(2) It shall be lawful for one or more persons acting on their own behalf or on behalf of a trade union in contemplation or furtherance of a trade dispute, to attend at, or where that is not practicable, at the approaches to, a place where an employer who is not a party to the trade dispute works or carries on business if, but only if, it is reasonable for those who are so attending to believe at the commencement of their attendance and throughout the continuance of their attendance that that employer has directly assisted their employer who is a party to the trade dispute for the purpose of frustrating the strike or other industrial action, provided that such attendance is merely for the purpose of peacefully obtaining or communicating information or of peacefully persuading any person to work or abstain from working.

(3) For the avoidance of doubt any action taken by an employer in the health services to maintain life-preserving services during a strike or other industrial action shall not constitute assistance for the purposes of *subsection (2)*.

(4) It shall be lawful for a trade union official to accompany any member of his union whom he represents provided that the member is acting in accordance with the provisions of *subsection (1) or (2)* and provided that such official is attending merely for the purpose of peacefully obtaining or communicating information or of peacefully persuading any person to work or abstain from working.

(5) For the purposes of this section “trade union official” means any paid official of a trade union or any officer of a union or branch of a union elected or appointed in accordance with the rules of a union.

Removal of liability for certain acts.

12.—An act done by a person in contemplation or furtherance of a trade dispute shall not be actionable on the ground only that—

- (a) it induces some other person to break a contract of employment, or
- (b) it consists of a threat by a person to induce some other person to break a contract of employment or a threat by a person to break his own contract of employment, or
- (c) it is an interference with the trade, business, or employment of some other person, or with the right of some other person to dispose of his capital or his labour as he wills.

Restriction of actions of tort against trade unions.

13.—(1) An action against a trade union, whether of workers or employers, or its trustees or against any members or officials thereof on behalf of themselves and all other members of the trade union in respect of any tortious act committed by or on behalf of the trade union in contemplation or furtherance of a trade dispute, shall not be entertained by any court.

(2) In an action against any trade union or person referred to in *subsection (1)* in respect of any tortious act alleged or found to have been committed by or on behalf of a trade union it shall be a defence that the act was done in the reasonable belief that it was done in contemplation or furtherance of a trade dispute.

Secret ballots.

14.—(1) This section shall come into operation two years after the passing of this Act (“the operative date”).

(2) The rules of every trade union shall contain a provision that—

- (a) the union shall not organise, participate in, sanction or support a strike or other industrial action without a secret ballot, entitlement to vote in which shall be accorded equally to all members whom it is reasonable at the time of the ballot for the union concerned to believe will be called upon to engage in the strike or other industrial action;
- (b) the union shall take reasonable steps to ensure that every member entitled to vote in the ballot votes without interference from, or constraint imposed by, the union or any of its members, officials or employees and, so far as is reasonably possible, that such members shall be given a fair opportunity of voting;
- (c) the committee of management or other controlling authority of a trade union shall have full discretion in relation to organising, participating in, sanctioning or supporting a strike or other industrial action notwithstanding that the majority of those voting in the ballot, including an aggregate ballot referred to in *paragraph (d)*, favour such strike or other industrial action;
- (d) the committee of management or other controlling authority of a trade union shall not organise, participate in, sanction or support a strike or other industrial action against the wishes of a majority of its members voting in a secret ballot, except where, in the case of ballots by more than one trade union, an aggregate majority of all the votes cast, favours such strike or other industrial action;
- (e) where the outcome of a secret ballot conducted by a trade union which is affiliated to the Irish Congress of Trade Unions or, in the case of ballots by more than one such trade union, an aggregate majority of all the votes cast, is in favour of supporting a strike organised by another trade union, a decision to take such supportive action shall not be implemented unless the action has been sanctioned by the Irish Congress of Trade Unions;
- (f) as soon as practicable after the conduct of a secret ballot the trade union shall take reasonable steps to make known to its members entitled to vote in the ballot:
 - (i) the number of ballot papers issued,
 - (ii) the number of votes cast,
 - (iii) the number of votes in favour of the proposal,
 - (iv) the number of votes against the proposal, and
 - (v) the number of spoilt votes.
- (3) The rights conferred by a provision referred to in *subsection (2)* are conferred on the members of the trade union concerned and on no other person.
- (4) Nothing in this section shall constitute an obstacle to negotiations for the settlement of a trade dispute nor the return to work by workers party to the trade dispute.
- (5) The First Schedule to the Trade Union Act, 1871, is hereby extended to include the requirement provided for in *subsection (2)*.

Power to alter rules of trade unions.

15.—(1) The committee of management or other controlling authority of a trade union shall, notwithstanding anything in the rules of the union, have power by memorandum in writing to alter the rules of the union so far as may be necessary to give effect to *section 14*.

(2) In the case of a trade union which is a trade union under the law of another country having its headquarters control situated in that country, the committee of

management or other controlling authority referred to in this Part shall have the same meaning as in section 17 (2) of the Trade Union Act, 1975.

Enforcement of rule for secret ballot.

16.—(1) Every trade union registered under the Trade Union Acts, 1871 to 1975, or a trade union under the law of another country shall, not later than the operative date, forward to the Registrar of Friendly Societies a copy of its rules incorporating the provisions referred to in *subsection (2) of section 14*.

(2) A trade union failing to comply with *subsection (2) of section 14* or *subsection (1) of this section* shall cease to be entitled to hold a negotiation licence under Part II of the Trade Union Act, 1941, and its existing licence shall stand revoked on the operative date.

(3) A body of persons shall not be granted a negotiation licence unless, in addition to fulfilling the relevant conditions specified in section 7 of the Trade Union Act, 1941, and section 2 of the Trade Union Act, 1971, as amended by *section 21* of this Act, it complies with *subsection (2) of section 14* and for this purpose that subsection shall have effect from the passing of this Act.

(4) A body of persons which is a trade union under the law of another country shall not be granted a negotiation licence unless, in addition to fulfilling the conditions referred to in *subsection (3)* and section 17 of the Trade Union Act, 1975, it forwards, at the time of application for a negotiation licence, a copy of its rules incorporating the provisions referred to in *subsection (2) of section 14* to the Registrar of Friendly Societies.

(5) Where the Registrar of Friendly Societies is satisfied, after due investigation, that it is the policy or practice of a trade union registered under the Trade Union Acts, 1871 to 1975, or a trade union under the law of another country persistently to disregard any requirement of the provisions referred to in *subsection (2) of section 14* he may issue an instruction to the trade union to comply with the requirement. Where such an instruction is disregarded, the Registrar of Friendly Societies shall inform the Minister and the Minister may revoke the negotiation licence of the trade union concerned.

Actions contrary to outcome of secret ballot.

17.—(1) *Sections 10, 11 and 12* shall not apply in respect of proceedings arising out of or relating to a strike or other industrial action by a trade union or a group of workers in disregard of or contrary to, the outcome of a secret ballot relating to the issue or issues involved in the dispute.

(2) In the case of ballots by more than one trade union, the outcome of a secret ballot referred to in *subsection (1)* shall mean the outcome of the aggregated ballots.

(3) Where two or more secret ballots have been held in relation to a dispute, the ballot referred to in *subsection (1)* shall mean the last such ballot.

Non-application of *sections 14 to 17* to employers' unions.

18.—*Sections 14 to 17* shall not apply to a trade union of employers.

Restriction of right to injunction.

19.—(1) Where a secret ballot has been held in accordance with the rules of a trade union as provided for in *section 14*, the outcome of which or, in the case of an aggregation of ballots, the outcome of the aggregated ballots, favours a strike or other industrial action and the trade union before engaging in the strike or other industrial action gives notice of not less than one week to the employer concerned of its intention to do so, that employer shall not be entitled to apply to any court for an injunction restraining the strike or other industrial action unless notice of the application has been given to the trade union and its members who are party to the trade dispute.

(2) Where a secret ballot has been held in accordance with the rules of a trade union as provided for in *section 14*, the outcome of which or, in the case of an aggregation of ballots, the outcome of the aggregated ballots, favours a strike or other industrial action and the trade union before engaging in the strike or other industrial action gives notice of not less than one week to the employer concerned of its intention to do so, a court shall not grant an injunction restraining the strike or other industrial action where the respondent establishes a fair case that he was acting in contemplation or furtherance of a trade dispute.

(3) Notice as provided for in *subsection (1)* may be given to the members of a trade union by referring such members to a document containing the notice which the members have reasonable opportunity of reading during the course of their employment or which is reasonably accessible to them in some other way.

(4) *Subsections (1) and (2)* do not apply—

(a) in respect of proceedings arising out of or relating to unlawfully entering into or remaining upon any property belonging to another, or unlawfully causing damage or causing or permitting damage to be caused to the property of another, or

(b) in respect of proceedings arising out of or relating to any action resulting or likely to result in death or personal injury.

(5) Where two or more secret ballots have been held in relation to a dispute, the ballot referred to in *subsections (1) and (2)* shall be the last such ballot.

Amendment of Trade Union Acts, 1941, 1971 and 1975

Change of deposit consequent on change in number of members.

20.—(1) Within one month after the 31st December each year a trade union which is the holder of a negotiation licence shall send to the Minister a statement of the number of its members on the 31st December and, if it is necessary to increase or reduce a deposit under Part II of the Trade Union Act, 1941, as amended by section 2 of the Trade Union Act, 1971, by any amount in order to make it equal to the appropriate sum, such trade union shall, not later than four months after the 31st December, increase such deposit by such amount or apply for the return out of such deposit of such amount (as the case may require).

(2) *Subsection (1)* shall take effect on 1st January, 1991.

(3) The “appropriate sum” in *subsection (1)* shall be the appropriate sum under—

(a) section 7 (2) of the Trade Union Act, 1941, or

(b) section 2 (4) of the Trade Union Act, 1971, or

(c) *section 21 (3) or section 21 (4)* of this Act,

for the time being, as the case may be.

(4) If, in relation to any trade union required to send a statement under this section, there is a failure to send a statement or there is sent a wilfully false statement, such of the members and officers of the trade union as consent to or facilitate the failure to send a statement or the sending of the false statement and, in the case of a trade union registered under the Trade Union Acts, 1871 to 1975, the trade union itself shall each be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding £500.

(5) Save in pursuance of this section, a trade union shall not, on account of a change in the number of its members, change the amount of a deposit under Part II of the Trade Union Act, 1941, as amended by section 2 of the Trade Union Act, 1971.

(6) Sections 14 and 16 of the Trade Union Act, 1941, shall apply in relation to a deposit made with the High Court under this Act or under the Trade Union Act, 1971, as it applies to a deposit under the Trade Union Act, 1941.

Amendment of
section 2 of
Trade Union Act,
1971.

21.—(1) In this section “the Act of 1971” means the Trade Union Act, 1971.

(2) Section 2 (1) (b) of the Act of 1971 (which refers to the minimum membership for the grant of a negotiation licence) is hereby amended, in relation to applications for a negotiation licence made after the passing of this Act, by the substitution for “500” of “1,000”.

(3) In respect of a body of persons applying under section 9 (1) of the Trade Union Act, 1941, for a negotiation licence after the passing of this Act, “the appropriate sum” referred to in section 2 (1) (a) of the Act of 1971 shall be the sum appropriate to the number of members of the body in accordance with the *Third Schedule* to this Act or the sum deposited and kept deposited in the High Court before such passing in accordance with the said section 2 (1) (a) and the Schedule to the Act of 1971, as the case may be.

(4) Whenever after the passing of this Act a trade union is formed consisting wholly or mainly of two or more trade unions which have been amalgamated and each of which, immediately before the amalgamation, had been the holder of a negotiation licence, “the appropriate sum” referred to in the said section 2 (1) (a) shall be such sum as the Minister may determine in respect of the union so formed.

Amalgamations
and transfers.

22.—(1) Section 15 of the Trade Union Act, 1975 (which refers to a grant towards expenses of amalgamations or transfers) is hereby amended by the deletion of “were exceptional and”.

(2) Whenever two or more trade unions engage in an unsuccessful attempt to amalgamate or to effect a transfer of engagements from one union to another the Minister may, with the consent of the Minister for Finance, make to one or more of those trade unions out of moneys to be provided by the Oireachtas a grant of such amount as the Minister thinks fit towards such expenses as he is satisfied were incurred, within the period of two years immediately prior to the failure, by that trade union in the course of, or in contemplation of, such attempted amalgamation or transfer.

(3) Where an instrument of amalgamation takes effect the registration of any amalgamating union shall cease to have effect and on the granting of a negotiation licence to the new union any negotiation licence held by an amalgamating union shall cease to have effect.

(4) Where an instrument of transfer of engagements takes effect the registration of any transferor union and any negotiation licence held by such union shall cease to have effect.

Annotations

Modifications (not altering text):

- C6** Functions transferred and references to “Department of Finance” and “Minister for Finance” construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2).

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after

the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(a) the enactments specified in Schedule 1, and

(b) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Number and Year	Short Title	Provision
...
No. 19 of 1990	Industrial Relations Act 1990	s. 22(2), 23(3), 30(1) and 31
...

PART III

INDUSTRIAL RELATIONS GENERALLY

“worker”.

23.—(1) In the Industrial Relations Acts, 1946 to 1976, and this Part, “worker” means any person aged 15 years or more who has entered into or works under a contract with an employer, whether the contract be for manual labour, clerical work or otherwise, whether it be expressed or implied, oral or in writing, and whether it be a contract of service or of apprenticeship or a contract personally to execute any work or labour including, in particular, a psychiatric nurse employed by a health board and any person designated for the time being under *subsection (3)* but does not include—

(a) a person who is employed by or under the State,

(b) a teacher in a secondary school,

(c) a teacher in a national school,

(d) F2[...]

(e) an officer of a vocational education committee, or

(f) an officer of a school attendance committee.

(2) In *subsection (1)* “local authority” means—

(a) a council of a county, a corporation of a county or other borough, a council of an urban district, the commissioners of a town, a health board or a port sanitary authority,

(b) a committee or joint committee or board or joint board appointed (whether before or after the passing of this Act) by or under statute to perform the functions or any of the functions of one or more of the bodies mentioned in *paragraph (a)*, and

(c) a committee or joint committee or board or joint board of or appointed by one or more of the bodies mentioned in *paragraphs (a)* and *(b)* but not

including a vocational education committee, a committee of agriculture or a school attendance committee.

(3) The Minister for Finance may from time to time—

(a) designate for the purpose of *subsection (1)* any persons (other than established civil servants within the meaning of the Civil Service Regulation Act, 1956) employed by virtue of section 30 (1) (g) of the Defence Act, 1954, or employed by or under the State, and

(b) cancel the designation of any persons under this subsection.

(4) Any person who stands designated by virtue of section 17 (2) (a) of the Industrial Relations Act, 1969, at the passing of this Act shall remain designated for the purpose of *subsection (1)* unless the designation is cancelled under *subsection (3) (b)*.

(5) The Government may by order amend the definition of “worker” in *subsection (1)* and may by order revoke or amend any such order.

(6) Every order made under this section shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order is passed by either House, within the next twenty-one days on which that House has sat after the order has been laid before it, the order shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.

Annotations

Amendments:

- F2** Deleted (1.08.1998) by *Industrial Relations Act 1990 (Definition of "Worker") Order 1998* (S.I. No. 264 of 1998), art. 2.
- F3** Substituted by *Education and Training Boards Act 2013* (11/2013), s. 72, sch. 6 item 8, not commenced as of date of revision.
- F4** Substituted by *Education and Training Boards Act 2013* (11/2013), s.72, sch. 6 item 8, not commenced as of date of revision.

Modifications (not altering text):

- C7** Prospective amending provision: subss. (1)(e) substituted and (2)(c) amended by *Education and Training Boards Act 2013* (11/2013), s. 72 and sch. 6 item 8, not commenced as of date of revision.

F3[(e) a member of staff of an education and training board, or]

...

(c) a committee or joint committee or board or joint board of or appointed by one or more of the bodies mentioned in *paragraphs (a) and (b)* but not including F4[an education and training board], a committee of agriculture or a school attendance committee.

- C8** Functions transferred and references to “Department of Finance” and “Minister for Finance” construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2).

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(a) the enactments specified in Schedule 1, and

(b) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Number and Year	Short Title	Provision
...
No. 19 of 1990	Industrial Relations Act 1990	s. 22(2), 23(3), 30(1) and 31
...

- C9** Application of subs. (3) not restricted (6.10.2004) by *Public Service Management (Recruitment and Appointments) Act 2004* (33/2004), s. 7(2)(h), commenced on enactment.

Excluded positions generally.

7.— ...

(2) Subject to subsection (4), unless an order is made under section 6, either generally or in respect of any position or class of position, this Act does not apply to a position where the appointment concerned— ...

(h) is to the position of a person designated by the Minister under section 23(3) of the Industrial Relations Act 1990 for the purposes of section 23(1) of that Act.

...

Editorial Notes:

- E12** Power pursuant to subs. (5) exercised (1.08.1998) by *Industrial Relations Act, 1990 (Definition of "Worker") Order 1998* (S.I. No. 264 of 1998).

The Labour Court and the Labour Relations Commission

Establishment of the Commission. **24.—**(1) There shall be a body to be known as the Labour Relations Commission to fulfil the functions assigned to it by this Act.

(2) The Commission shall stand established on such day as the Minister by order appoints.

(3) The Commission shall consist of a chairman and six ordinary members who shall be appointed by the Minister.

(4) The *Fourth Schedule* to this Act shall apply to the Commission.

Annotations

Editorial Notes:

- E13** Power pursuant to subs. (2) exercised (21.01.1991) by *Labour Relations Commission (Establishment) Order 1991* (S.I. No. 7 of 1991).

Functions of the Commission.

25.—(1) The Commission shall have general responsibility for promoting the improvement of industrial relations and shall—

- (a) provide a conciliation service;
- (b) provide an industrial relations advisory service;
- (c) prepare codes of practice relevant to industrial relations after consultation with unions and employer organisations;
- (d) offer guidance on codes of practice and help to resolve disputes concerning their implementation;
- (e) F5[...]
- (f) select and nominate persons for appointment as rights commissioners and provide staff and facilities for the rights commissioner service;
- (g) conduct or commission research into matters relevant to industrial relations;
- (h) review and monitor developments in the area of industrial relations;
- (i) assist joint labour committees and joint industrial councils in the exercise of their functions.

(2) The Commission may at the request of one or more parties to a trade dispute or on its own initiative offer the parties its appropriate services with a view to bringing about a settlement.

(3) Except where there is specific provision for the direct reference of trade disputes to the Labour Court, trade disputes shall first be referred to the Commission or to its appropriate services.

(4) The Commission may, if it thinks fit, on request or on its own initiative, provide for employers, employers' associations, workers and trade unions such advice as it thinks appropriate on any matter concerned with industrial relations.

(5) The functions referred to in *subsection (1) (a), (b) or (d)* shall be performed on behalf of the Commission by members of its staff duly appointed by the Commission.

(6) The Commission, a member of the Commission or any of its staff shall not include in any report any information obtained by it in the course of any proceedings before it under this Act as to any trade union or as to the business carried on by any person which is not available otherwise than through evidence given at the proceedings (including conciliation conferences and advisory meetings) without the consent of the trade union or person concerned, nor shall any member of the Commission or any of its staff or any person concerned in the proceedings, without such consent, disclose any such information.

(7) *Subsection (6)* shall not apply to a report to the Court under *section 26 (1) (a)* or a notice to the Court under *section 26 (3) (a)* or a report under *section 48 (3)*.

(8) *Subsection (6)* is without prejudice to F6[...]section 14 of the Industrial Relations Act, 1969.

Annotations

Amendments:

F5 Deleted (18.10.1999) by *Employment Equality Act 1998* (21/1998), s. 105(b)(i), S.I. No. 320 of 1999.

F6 Deleted (18.10.1999) by *Employment Equality Act 1998* (21/1998), s. 105(b)(ii), S.I. No. 320 of 1999.

Modifications (not altering text):

- C10** Certain functions under section excluded from application of *Freedom of Information Act 1997* (13/1997) (21.01.2001) by *Freedom of Information Act, 1997 (Prescribed Bodies) (No. 3) Regulations 2001* (S.I. No. 128 of 2001), reg. 3(3) and sch. 1, items 17 and 18.

3. (1) Subject to paragraphs (2) and (3) of this Regulation, the Labour Relations Commission shall stand prescribed for the purposes of paragraph 1(5) of the First Schedule to the Freedom of Information Act, 1997 (No. 13 of 1997).

(2) Subject to paragraph (3) of this Regulation, the Freedom of Information Act, 1997, shall apply to the Labour Relations Commission only as respects the functions of the body which are specified in Schedule 1.

(3) For the purposes of these Regulations the functions specified in Schedule 1 shall be deemed not to include any of the matters specified in Schedule 2.

SCHEDULE 1

...

17. General administration in relation to the functions described in section 25(2) of the Industrial Relations Act, 1990.

18. Advice in relation to section 25(4) of the Industrial Relations Act, 1990.

- C11** Certain functions under section included in application of *Freedom of Information Act 1997* (13/1997) (21.04.1998) by *Freedom of Information Act 1997* (13/1997), s. 32 and sch. 3, commenced as per s. 1(2).

Enactments relating to non-disclosure of records.

32.—(1) A head shall refuse to grant a request under section 7 if—

- (a) the disclosure of the record concerned is prohibited by any enactment (other than a provision specified in column (3) of the Third Schedule of an enactment specified in that Schedule), or

...

THIRD SCHEDULE

Enactments Excluded from Application of Section 32 .

PART I

Statutes

Number and Year Short Title Provision

...

No. 19 of 1990 Industrial Relations Act, 1990. Section 25(6).

...

Investigation of
dispute by Court.

26.—(1) The Court shall not investigate a trade dispute unless—

- (a) subject to *subsection (3)*, it receives a report from the Commission stating that the Commission is satisfied that no further efforts on its part will advance the resolution of the dispute, and

(b) the parties to the dispute have requested the Court to investigate the dispute.

(2) The report referred to in *subsection (1) (a)* shall include information on the issues in dispute, the attempts made to resolve the dispute and any other information which the Commission considers of assistance to the Court.

(3) Notwithstanding *subsection (1) (a)*, the Court may investigate a dispute if—

- (a) the Chairman of the Commission (or any member or officer of the Commission authorised by him) notifies the Court that in the circumstances specified in

the notice the Commission waives its function of conciliation in the dispute, and

(b) the parties to the dispute have requested the Court to investigate the dispute.

(4) The foregoing provisions of this section shall not apply in relation to an investigation of a trade dispute by the Court instituted by it before the establishment of the Commission or an appeal to the Court in relation to a recommendation of a rights commissioner or of an equality officer.

(5) Where the Court, following consultation with the Commission, is of opinion, in relation to a trade dispute which but for this subsection it would be precluded by virtue of *subsection (1)* from investigating, that there are exceptional circumstances which warrant it so doing, it may investigate the dispute.

Annotations

Modifications (not altering text):

- C12** Application of section restricted by *Industrial Relations Act 1946* (26/1948), s. 28(6) as substituted (1.08.2012) by *Industrial Relations (Amendment) Act 2012* (32/2012), s. 6, commenced on enactment.

Variation of registered employment agreement.

[28.— ...

(6) Following a referral of a dispute to the Labour Relations Commission under subsection (5), where the parties to the dispute have failed to arrive at a settlement of the dispute through conciliation, the Commission shall, within 6 weeks of referral of the dispute, forward a report to the Court stating that it is satisfied that no further efforts on its part will advance the resolution of the dispute and, notwithstanding section 26 of the Industrial Relations Act 1990, the Commission shall request the Court to investigate the dispute.

...]

- C13** Application of section restricted by *Industrial Relations Act 1946* (26/1948), s. 42B(4) as inserted (1.08.2012) by *Industrial Relations (Amendment) Act 2012* (32/2012), s. 12, commenced on enactment.

[Proposals by joint labour committee for employment regulation orders.

42B.— ...

(4) Notwithstanding section 26 of the Industrial Relations Act 1990, where a joint labour committee has failed to formulate proposals or where it has formulated proposals and has failed to adopt such proposals, and the chairman is satisfied that no further efforts on his or her part will advance the committee in reaching agreement, the chairman may, and shall if requested by a member of the committee, submit the outstanding issues to the Court for its recommendation.

...

Procedure of the Commission.

27.—(1) The Commission may act notwithstanding the existence of not more than two vacancies in its membership.

(2) The Commission may from time to time make rules regulating its own procedure and business (including the fixing of a quorum for its meetings) and shall furnish the Minister with a copy of any such rules as soon as may be after they have been made.

(3) The Commission shall in each year, at such date as the Minister may direct, make a report of its activities to the Minister including such observations as it thinks proper relating to trends and developments in industrial relations including pay and the Minister shall cause copies of the report to be laid before each House of the Oireachtas.

(4) The Commission shall supply to the Minister such information as he may from time to time require regarding its activities.

The chief executive.

28.—(1) There shall be a chief officer of the Commission who shall be known as the chief executive.

(2) The first chief executive shall be appointed by the Minister and each subsequent chief executive shall be appointed by the Minister after consultation with the Commission.

(3) The terms and conditions of service of the post of chief executive shall be determined by the Minister with the consent of the Minister for Finance.

(4) The office of chairman and the post of chief executive may be held by the same person for such period and subject to such conditions as the Minister with the consent of the Minister for Finance may determine.

(5) The chief executive may be removed from office by the Minister for stated reasons.

Superannuation and gratuities for and in respect of the chief executive of the Commission.

29.—(1) The Minister may, with the consent of the Minister for Finance, make a scheme or schemes for the granting of pensions, gratuities and other allowances on cessation of office or death to or in respect of the chief executive of the Commission.

(2) The Minister may, with the consent of the Minister for Finance, at any time amend a scheme made by him under this section.

(3) A scheme made by the Minister under this section shall be carried out by the Minister in accordance with its terms.

(4) If any dispute arises as to the claim of any person to, or the amount of, any pension, gratuity or allowance payable in pursuance of a scheme under this section, such dispute shall be submitted to the Minister who shall refer it to the Minister for Finance, whose decision shall be final.

(5) Every scheme made by the Minister under this section shall be laid before each House of the Oireachtas as soon as may be after it is made and if either House, within the next twenty-one days on which that House has sat after the scheme is laid before it, passes a resolution annulling the scheme, the scheme shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.

Grants to the Commission and power to borrow.

30.—(1) In each financial year there may be paid to the Commission out of moneys provided by the Oireachtas a grant of such amount as the Minister, with the consent of the Minister for Finance, may sanction towards the expenses of the Commission in the performance of its functions.

(2) The Commission may, with the consent of the Minister, given with the consent of the Minister for Finance, borrow temporarily by arrangement with bankers such sums as it may require for the purpose of providing for current expenditure.

Annotations

Modifications (not altering text):

- C14** Functions transferred and references to “Department of Finance” and “Minister for Finance” construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2).

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(a) the enactments specified in Schedule 1, and

(b) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Number and Year	Short Title	Provision
...
No. 19 of 1990	Industrial Relations Act 1990	s. 22(2), 23(3), 30(1) and 31
...

Accounts and audits.

31.—(1) The Commission shall, in such form as may be approved by the Minister with the consent of the Minister for Finance, keep all proper and usual accounts of all moneys received or expended by it.

(2) Accounts kept in pursuance of this section shall be submitted annually at such times as the Minister, with the consent of the Minister for Finance, directs, by the Commission to the Comptroller and Auditor General for audit and those accounts, when so audited, shall (together with the report of the Comptroller and Auditor General thereon), be presented to the Minister, who shall cause copies of the audited accounts and the report to be laid before each House of the Oireachtas.

Annotations

Modifications (not altering text):

C15 Functions transferred and references to “Department of Finance” and “Minister for Finance” construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2).

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(a) the enactments specified in Schedule 1, and

(b) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Number and Year	Short Title	Provision
...
No. 19 of 1990	Industrial Relations Act 1990	s. 22(2), 23(3), 30(1) and 31
...

Staff of the
Commission.

32.—(1) The Minister, with the consent of the Minister for Finance, may appoint such staff as he thinks necessary to assist the Commission in the performance of its functions.

(2) Appointments under this section shall be on such terms as the Minister with the consent of the Minister for Finance determines and shall be subject to the F7[Public Service Management (Recruitment and Appointments) Act 2004], and the Civil Service Regulation Acts, 1956 and 1958.

Annotations

Amendments:

- F7** Substituted (6.10.2004) by *Public Service Management (Recruitment and Appointments) Act 2004* (33/2004), s. 61 and sch. 2 part 1, commenced on enactment.

Industrial rela-
tions officers and
advisory service.

33.—(1) The Commission may appoint members of its staff to act as industrial relations officers.

(2) The industrial relations officers shall perform any duties assigned to them by the Commission through its chairman or its chief executive officer and, in particular, they shall assist in the prevention and settlement of trade disputes.

(3) The Commission may appoint members of its staff, including industrial relations officers, to give advice on matters relating to industrial relations to management and workers or their representatives.

Rights commis-
sioners.

34.—(1) Where the Minister proposes to appoint a rights commissioner under section 13 (1) of the Industrial Relations Act, 1969, he shall request the Commission to submit to him a panel of persons and he shall not appoint as a rights commissioner any person other than a person included in such panel.

(2) The term of office of a rights commissioner appointed in pursuance of *subsection (1)* shall be a period not exceeding three years.

(3) A rights commissioner may be re-appointed for a further term or terms by the Minister.

The Rights
Commissioner
Service.

35.—(1) The rights commissioners shall operate as a service of the Commission and references to rights commissioners in the Industrial Relations Act, 1969, the Unfair Dismissals Act, 1977, and the Maternity Protection of Employees Act, 1981, shall be taken to be references to rights commissioners so operating.

(2) A rights commissioner shall be independent in the performance of his functions.

Annotations

Editorial Notes:

E14 The *Maternity Protection of Employees Act 1981* was repealed (30.01.1995) by *Maternity Protection Act 1994* (34/1994), s. 6(1), S.I. No. 16 of 1995.

Objections and appeals.

36.—(1) An objection under section 13 (3) (b) (ii) of the Industrial Relations Act, 1969, by a party to a trade dispute to an investigation of the dispute by a rights commissioner shall be of no effect unless it is notified in writing to the commissioner within three weeks after notice of the reference of the dispute to the commissioner has been sent by post to that party.

(2) An appeal to the Court against the recommendation of a rights commissioner shall not be considered unless it is notified in writing to the Court within six weeks after the making of the recommendation.

(3) A rights commissioner, in addition to notifying the Court, shall notify the Minister and the Commission of every recommendation made by him.

(4) The Commission shall not exercise its function of conciliation on a dispute on which a rights commissioner has made a recommendation.

Equality officers.

37.—F8[...]

Annotations

Amendments:

F8 Deleted (18.10.1999) by *Employment Equality Act 1998* (21/1998), s. 105(c), S.I. No. 320 of 1999.

Reference of dispute by Minister.

38.—(1) Where the Minister is of the opinion that a trade dispute, actual or apprehended, affects the public interest, he may refer the matter to the Commission or the Court, which shall endeavour to resolve the dispute.

(2) Where the Minister is of the opinion that a trade dispute is a dispute of special importance, he may request the Commission or the Court or another person or body to conduct an enquiry into the dispute and to furnish a report to him on the findings.

Review of joint labour committees.

39.—F9[...]

Annotations

Amendments:

F9 Repealed (1.08.2012) by *Industrial Relations (Amendment) Act 2012* (32/2012), s. 3(2), S.I. No. 302 of 2012.

Superannuation and gratuities for and in respect of chairman, deputy chairmen and ordinary members of the Court.

40.—Section 5 of the Industrial Relations Act, 1969, is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) The Minister may, with the consent of the Minister for Finance, make a scheme or schemes for the granting of pensions, gratuities and other allowances on cessation of office or death to or in respect of the chairman, a deputy chairman (whether appointed under section 4 (1) or 4 (4) of this Act or under section 8 (3) of the Industrial Relations Act, 1976) who is required by the Minister to devote the whole of his working time to the duties of the office of deputy chairman, and the ordinary members of the Court.”.

Divisions of Court.

41.—The Minister may amend or revoke an order made by him under section 8 (1) of the Industrial Relations Act, 1976.

Annotations

Editorial Notes:

- E15** Power pursuant to section exercised (26.06.1992) by *Labour Court (Fourth Division) Order, 1979 (Revocation) Order 1992* (S.I. No. 161 of 1992), abolishing the fourth division of the Labour Court set up by *Labour Court (Fourth Division) Order 1979* (S.I. No. 161 of 1979).

Codes of Practice

Codes of practice. **42.**—(1) The Commission shall prepare draft codes of practice concerning industrial relations for submission to the Minister, either on its own initiative or at the request of the Minister.

(2) Before submitting a draft code of practice to the Minister, the Commission shall seek and consider the views of organisations representative of employers and organisations representative of workers, and such other bodies as the Commission considers appropriate.

(3) Where the Minister receives a draft code of practice from the Commission he may by order declare that the code, scheduled to the order, shall be a code of practice for the purposes of this Act.

(4) In any proceedings before a court, the Labour Court, the Commission, the Employment Appeals Tribunal, F10[the F11[**Director of the Equality Tribunal**] or a **rights commissioner**], a code of practice shall be admissible in evidence and any provision of the code which appears to the court, body or officer concerned to be relevant to any question arising in the proceedings shall be taken into account in determining that question.

(5) A failure on the part of any person to observe any provision of a code of practice shall not of itself render him liable to any proceedings.

(6) The Minister may at the request of or after consultation with the Commission by order revoke or amend a code of practice.

(7) Every order made under this section shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order is passed by either House within the next twenty-one days on which that House has sat after the order has been laid before it, the order shall be annulled accordingly, but without prejudice to the validity of anything previously done there-under.

Annotations**Amendments:**

- F10** Substituted (18.10.1999) by *Employment Equality Act 1998* (21/1998), s. 105(d), S.I. No. 320 of 1999, as amended (18.07.2004) by *Equality Act 2004* (24/2004), s. 45, commenced on enactment.
- F11** Substituted (18.07.2004) by *Equality Act 2004* (24/2004), s. 45, commenced on enactment.

Editorial Notes:

- E16** Power pursuant to subs. (3) exercised (29.04.2008) by *Industrial Relations Act 1990 (Code of Practice on Information and Consultation) (Declaration) Order 2008* (S.I. No. 132 of 2008).
- E17** Power pursuant to subs. (3) exercised (18.05.2007) by *Industrial Relations Act 1990 (Code of Practice for Protecting Persons Employed in Other Peoples Homes) (Declaration) Order 2007* (S.I. No. 239 of 2007).
- E18** Power pursuant to subs. (3) exercised (12.01.2006) by *Industrial Relations Act 1990 (Code of Practice on Access to Part-Time Working) (Declaration) Order 2006* (S.I. No. 8 of 2006).
- E19** Power pursuant to subs. (3) exercised (13.01.2004) by *Industrial Relations Act 1990 (Enhanced Code of Practice on Voluntary Dispute Resolution) (Declaration) Order 2004* (S.I. No. 76 of 2004).
- E20** Safeguard put in place to protect employees in certain circumstances where trade union or excepted body seeks to invoke the procedures under the code of practice under this section (6.04.2004) by *Industrial Relations (Miscellaneous Provisions) Act 2004* (4/2004), s. 8(1)(a) and (3), S.I. No. 138 of 2004.
- E21** Power pursuant to subs. (3) exercised (6.04.2004) by *Industrial Relations Act 1990 (Code of Practice on Victimisation) (Declaration) Order 2004* (S.I. No. 139 of 2004).
- E22** Power pursuant to subs. (3) exercised (25.01.2002) by *Industrial Relations Act 1990 (Code of Practice Detailing Procedures For Addressing Bullying in The Workplace) (Declaration) Order 2002* (S.I. No. 17 of 2002).
- E23** Power pursuant to subsecs. (3) and (6) exercised (26.05.2000) by *Industrial Relations Act, 1990 (Code of Practice on Grievance and Disciplinary Procedures) (Declaration) Order 2000* (S.I. No. 146 of 2000).
- E24** Power pursuant to subs. (3) exercised (25.06.1993) by *Industrial Relations Act, 1990, Code of Practice on Employee Representatives (Declaration) Order 1993* (S.I. No. 169 of 1993).
- E25** Power pursuant to subs. (3) exercised (6.01.1992) by *Industrial Relations Act, 1990, Code of Practice on Dispute Procedures (Declaration) Order 1992* (S.I. No. 1 of 1992).
- E26** Previous affecting provision: power pursuant to subs. (3) exercised (26.05.2000) by *Industrial Relations Act, 1990 (Code of Practice on Voluntary Dispute Resolution) (Declaration) Order 2000* (S.I. No. 145 of 2000), subsequently revoked (13.01.2004) by *Industrial Relations Act 1990 (Enhanced Code of Practice on Voluntary Dispute Resolution) (Declaration) Order 2004* (S.I. No. 76 of 2004), art. 3.
- E27** Previous affecting provision: power pursuant to subs. (3) exercised (6.05.1996) by *Industrial Relations Act, 1990, Code of Practice on Disciplinary Procedures (Declaration) Order 1996* (S.I. No. 117 of 1996), subsequently revoked (26.05.2000) by *Industrial Relations Act, 1990 (Code of Practice on Grievance and Disciplinary Procedures) (Declaration) Order 2000* (S.I. No. 146 of 2000), art. 3.

Functions of
Labour Court
relating to codes
of practice.

43.—(1) The Court may on the application of one or more parties concerned give its opinion as to the interpretation of a code of practice, provided that in the case of an application by one party notice of the application has been given by that party to the other party.

(2) The Court may investigate a complaint that there has been a breach of a code of practice provided that the complaint has been referred to the Court by a party directly involved and that the complaint has first been considered by the Commission in accordance with *section 26*.

(3) Where the Court has investigated such a complaint, it may make a recommendation setting forth its opinion in the matter and, where appropriate, its view as to the action which a party in breach of the code should take or cease from taking in order to ensure compliance with the code.

Joint Labour Committees

Constitution and proceedings of joint labour committees.

44.—The provisions of the *Fifth Schedule* to this Act shall have effect with respect to the constitution and proceedings of joint labour committees.

Making of establishment orders.

45.—(1) The day for the holding of an enquiry into an application for an establishment order under section 38 of the Industrial Relations Act, 1946, to be set out in a notice under that section shall be not less than thirty days from the date of publication of the notice or later than sixty days from the receipt of the application by the Court and section 38 (b) (ii) of the section shall stand amended accordingly.

(2) The Court shall make an establishment order, or make known its decision not to do so, within forty-two days of the completion of the enquiry held in accordance with the said section 38.

Annotations

Editorial Notes:

- E28** Power pursuant to section exercised (10.02.2009) by *Hairdressing Joint Labour Committee Establishment Order 2009* (S.I. No. 45 of 2009).
- E29** Power pursuant to section exercised (26.08.2008) by *Clothing Joint Labour Committee Establishment Order 2008* (S.I. No. 329 of 2008).
- E30** Power pursuant to section exercised (30.12.1999) by *Contract Cleaning (Excluding The City and County of Dublin) Joint Labour Committee Establishment Order 1999* (S.I. No. 405 of 1999).
- E31** Power pursuant to section exercised (16.10.1998) by *Security Industry Joint Labour Committee Establishment Order 1998* (S.I. No. 377 of 1998).
- E32** Power pursuant to section exercised (1.05.1997) by *Hotels Joint Labour Committee (For the Areas Known Until 1st January, 1994 As the County Borough of Dublin and the Borough of Dun Laoghaire) Establishment Order 1997* (S.I. No. 174 of 1997).
- E33** Power pursuant to section exercised (27.11.1992) by *Catering Joint Labour Committee (County Borough of Dublin and The Borough of Dun Laoghaire) Establishment Order 1992* (S.I. No. 351 of 1992).
- E34** Power pursuant to section exercised (1.09.1992) by *Catering Joint Labour Committee Establishment (Amendment) Order 1992* (S.I. No. 236 of 1992).
- E35** Power pursuant to section exercised (2.04.1991) by *Retail Grocery and Allied Trades Joint Labour Committee Establishment Order 1991* (S.I. No. 58 of 1991).

Exclusion from scope of joint labour committee.

46.—(1) The Court may by order exclude an undertaking to which a registered employment agreement applies from the scope of the functions of a joint labour committee at the request of the employer and the group of workers or their representatives in the undertaking provided that the remuneration and conditions of

employment provided for in the registered employment agreement are not less favourable than those provided for in the relevant employment regulation order.

(2) An order under *subsection (1)* shall cease to have effect if—

(a) the remuneration and conditions of employment provided for in the registered employment agreement become less favourable than those provided for in the relevant employment regulation order, or

(b) the registered employment agreement is revoked.

Report for assistance of joint labour committee.

47.—(1) The Court may, on its own initiative or at the request of a joint labour committee, arrange for the provision of a report on the industry or trade covered by the committee and the position of its workforce, having regard to the purposes for which the committee was established.

(2) A request for a report under *subsection (1)* may be made by the committee on the application of the chairman with the approval of a majority of the members of the committee.

Proposals for employment regulation order.

48.—(1) Where a joint labour committee has formulated proposals for an employment regulation order, the committee shall publish a notice stating—

(a) the place where copies of the proposals may be obtained;

(b) that representations with respect to the proposals may be made to the committee within the period of twenty-one days after the date of such publication.

(2) The joint labour committee, having considered any representations made to it in accordance with *subsection (1)*, may submit to the Court such proposals as it thinks proper for an employment regulation order.

(3) When proposals for an employment regulation order are submitted to the Court, the chairman of the committee shall submit a report to the Court on the circumstances surrounding their adoption.

(4) The Court may, as it thinks proper, by order give effect to the proposals from such date (subsequent to the date of the order) as the Court specifies in the order.

(5) (a) Where the Court is not satisfied that it should make an order giving effect to the proposals it may submit to the committee amended proposals which it is willing to accept.

(b) The committee may, if it thinks fit, re-submit the amended proposals, with or without modifications, to the Court.

(c) The Court may, as it thinks proper, make an order giving effect to the proposals as so re-submitted from such date (subsequent to the date of the order) as the Court thinks proper and specifies in the order or refuse to make an order.

Annotations

Modifications (not altering text):

- C16** Declared unconstitutional: *Industrial Relations Act 1946* (26/1946), ss. 42, 43 and 45 and *Industrial Relations Act 1990* (19/1990), s. 48 provided for the making of employment regulation orders. These provisions and employment regulation orders made under them were declared unconstitutional (7.07.2011) in *John Grace Fried Chicken Ltd and Others v Catering Joint Labour Committee*

and Others [2011] IEHC 277. The *Industrial Relations (Amendment) Act 2012* (32/2012) was enacted in response to this decision.

- C17** Application of section restricted (1.04.2000) by *National Minimum Wage Act 2000* (5/2000), s. 43(2), S.I. No. 96 of 2000.

Repercussive claims.

43.— ...

(2) The Labour Court shall not by Employment Regulation Order give effect to a proposal which could be submitted to it by a Joint Labour Committee under section 42 of the Industrial Relations Act, 1946, or section 48 of the Industrial Relations Act, 1990, if, in the view of the Labour Court, the proposal is based on or partly on the restoration of a pay differential between an employee and another employee who has secured or is to secure an increase in pay as the result of the passing of this Act.

...

Editorial Notes:

Employment regulation orders

(in alphabetical order according to Joint Labour Committee, now invalid having regard to the decision in *John Grace Fried Chicken Ltd and Others v Catering Joint Labour Committee and Others* [2011] IEHC 277)

Aerated Waters and Wholesale Bottling Joint Labour Committee

- E36** Previous affecting provisions: power pursuant to section exercised:

- (14.11.2006) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 2006* (S.I. No. 559 of 2006).
- (19.04.2005) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 2005* (S.I. No. 195 of 2005); revoked (14.11.2006) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 2006* (S.I. No. 559 of 2006).
- (1.10.2004) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 2004* (S.I. No. 552 of 2004); revoked (19.04.2005) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 2005* (S.I. No. 195 of 2005).
- (15.07.2003) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 2003* (S.I. No. 282 of 2003); revoked (1.10.2004) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 2004* (S.I. No. 552 of 2004).
- (28.05.2002) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 2002* (S.I. No. 209 of 2002); revoked (15.07.2003) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 2003* (S.I. No. 282 of 2003).
- (2.02.2001) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 2001* (S.I. No. 10 of 2001); revoked (28.05.2002) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 2002* (S.I. No. 209 of 2002).
- (14.07.2000) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 2000* (S.I. No. 205 of 2000); revoked (2.02.2001) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 2001* (S.I. No. 10 of 2001).

- (27.08.1999) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 1999* (S.I. No. 261 of 1999); revoked (14.07.2000) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 2000* (S.I. No. 205 of 2000).
- (19.12.1997) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 1997* (S.I. No. 495 of 1997); revoked (27.08.1999) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 1999* (S.I. No. 261 of 1999).
- (20.11.1995) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 1995* (S.I. No. 295 of 1995); revoked (19.12.1997) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 1997* (S.I. No. 495 of 1997).
- (8.08.1994) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 1994* (S.I. No. 250 of 1994); revoked (20.11.1995) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 1995* (S.I. No. 295 of 1995).
- (14.06.1993) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 1993* (S.I. No. 148 of 1993); revoked (8.08.1994) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 1994* (S.I. No. 250 of 1994).
- (15.06.1992) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 1992* (S.I. No. 140 of 1992); revoked (14.06.1993) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 1993* (S.I. No. 148 of 1993).
- (22.04.1991) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 1991* (S.I. No. 92 of 1991); revoked (15.06.1992) by *Employment Regulation Order (Aerated Waters and Wholesale Bottling Joint Labour Committee) 1992* (S.I. No. 140 of 1992).

Agricultural Workers Joint Labour Committee

E37 Previous affecting provisions: power pursuant to section exercised:

- (31.12.2010) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2010* (S.I. No. 602 of 2010).
- (3.05.2010) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2010* (S.I. No. 164 of 2010); revoked (31.12.2010) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2010* (S.I. No. 602 of 2010).
- (14.04.2008) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2008* (S.I. No. 93 of 2008); revoked (3.05.2010) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2010* (S.I. No. 164 of 2010).
- (11.05.2007) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2007* (S.I. No. 190 of 2007); revoked (14.04.2008) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2008* (S.I. No. 93 of 2008).
- (23.02.2006) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2006* (S.I. No. 24 of 2006); revoked (11.05.2007) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2007* (S.I. No. 190 of 2007).
- (22.07.2005) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2005* (S.I. No. 375 of 2005); revoked (23.02.2006) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2006* (S.I. No. 24 of 2006).

- (1.02.2004) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2004* (S.I. No. 33 of 2004); revoked (22.07.2005) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2005* (S.I. No. 375 of 2005).
- (23.05.2003) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2003* (S.I. No. 185 of 2003); revoked (1.02.2004) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2004* (S.I. No. 33 of 2004).
- (23.04.2002) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2002* (S.I. No. 136 of 2002); revoked (23.05.2003) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2003* (S.I. No. 185 of 2003).
- (12.04.2001) *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2001* (S.I. No. 123 of 2001); revoked (23.04.2002) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2002* (S.I. No. 136 of 2002).
- (4.08.2000) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2000* (S.I. No. 236 of 2000); revoked (12.04.2001) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2001* (S.I. No. 123 of 2001).
- (17.08.1999) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1999* (S.I. No. 255 of 1999); revoked (4.08.2000) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 2000* (S.I. No. 236 of 2000).
- (10.07.1998) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1998* (S.I. No. 221 of 1998); revoked (17.08.1999) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1999* (S.I. No. 255 of 1999).
- (1.06.1997) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1997* (S.I. No. 216 of 1997); revoked (10.07.1998) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1998* (S.I. No. 221 of 1998).
- (1.06.1996) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1996* (S.I. No. 141 of 1996); revoked (1.06.1997) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1997* (S.I. No. 216 of 1997).
- (9.10.1995) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1995* (S.I. No. 264 of 1995).
- (6.02.1995) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1995* (S.I. No. 24 of 1995); revoked (9.10.1995) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1995* (S.I. No. 264 of 1995).
- (14.03.1994) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1994* (S.I. No. 51 of 1994); revoked (6.02.1995) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1995* (S.I. No. 24 of 1995).
- (2.11.1992) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1992* (S.I. No. 305 of 1992); revoked (14.03.1994) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1994* (S.I. No. 51 of 1994).
- (14.10.1991) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1991* (S.I. No. 256 of 1991); revoked (2.11.1992) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1992* (S.I. No. 305 of 1992).
- (5.01.1991) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) No.2 1990* (S.I. No. 333 of 1990); revoked (14.10.1991) by *Employment Regulation Order (Agricultural Workers Joint Labour Committee) 1991* (S.I. No. 256 of 1991).

Brush and Broom Joint Labour Committee

E38 Previous affecting provisions: power pursuant to section exercised:

- (18.07.1994) by *Employment Regulation Order (Brush and Broom Joint Labour Committee) 1994* (S.I. No. 207 of 1994). Brush and Broom Joint Labour Committee abolished (14.09.2007) by *Brush and Broom Joint Labour Committee (Abolition) Order 2007* (S.I. No. 625 of 2007).
- (26.08.1991) by *Employment Regulation Order (Brush and Broom Joint Labour Committee) 1991* (S.I. No. 225 of 1991); revoked (18.07.1994) by *Employment Regulation Order (Brush and Broom Joint Labour Committee) 1994* (S.I. No. 207 of 1994).

Catering Joint Labour Committee

E39 Previous affecting provisions: power pursuant to section exercised:

- (29.06.2009) by *Employment Regulation Order [Catering Joint Labour Committee (For the Areas Known Until 1st January, 1994 As the County Borough of Dublin and the Borough of Dun Laoghaire)] 2009* (S.I. No. 224 of 2009).
- (29.06.2009) by *Employment Regulation Order [Catering Joint Labour Committee (For the Areas Other Than the Areas Known Until 1st January, 1994 As the County Borough of Dublin and the Borough of Dun Laoghaire)] 2009* (S.I. No. 217 of 2009).
- (2.06.2008) by *Employment Regulation Order Catering Joint Labour Committee (for areas other than the areas known, until 1st January, 1994, as the County Borough of Dublin and the Borough of Dun Laoghaire) 2008* (S.I. No. 142 of 2008); revoked (29.06.2009) by *Employment Regulation Order [Catering Joint Labour Committee (for the areas other than the areas known until 1st January, 1994 as the County Borough of Dublin and the Borough of Dun Laoghaire)] 2009* (S.I. No. 217 of 2009).
- (22.06.2007) by *Employment Regulation Order (Catering Joint Labour Committee (for areas other than the areas known, until 1st January, 1994, as the County Borough of Dublin and the Borough of Dun Laoghaire) 2007* (S.I. No. 296 of 2007); revoked (2.06.2008) by *Employment Regulation Order Catering Joint Labour Committee (for areas other than the areas known, until 1st January, 1994, as the County Borough of Dublin and the Borough of Dun Laoghaire) 2008* (S.I. No. 142 of 2008).
- (18.05.2007) by *Employment Regulation Order [Catering Joint Labour Committee (for the areas known until 1st January, 1994 as the County Borough of Dublin and the Borough of Dun Laoghaire)] 2007* (S.I. No. 228 of 2007); revoked (29.06.2009) by *Employment Regulation Order [Catering Joint Labour Committee (for the areas known until 1st January, 1994 as the County Borough of Dublin and the Borough of Dun Laoghaire)] 2009* (S.I. No. 224 of 2009).
- (23.11.2005) by *Employment Regulation Order [Catering Joint Labour Committee (for the areas known until 1st January, 1994 as the County Borough of Dublin and the Borough of Dun Laoghaire)] 2005* (S.I. No. 723 of 2005); revoked (18.05.2007) by *Employment Regulation Order [Catering Joint Labour Committee (for the areas known until 1st January, 1994 as the County Borough of Dublin and the Borough of Dun Laoghaire)] 2007* (S.I. No. 228 of 2007).
- (18.11.2005) by *Employment Regulation Order (Catering Joint Labour Committee (for areas other than the areas known, until 1st January, 1994, as the County Borough of Dublin and the Borough of Dun Laoghaire) 2005* (S.I. No. 702 of 2005); revoked (22.06.2007) by *Employment Regulation Order (Catering Joint Labour Committee (for areas other than the areas known, until 1st January, 1994, as the County Borough of Dublin and the Borough of Dun Laoghaire) 2007* (S.I. No. 296 of 2007).
- (23.11.2004) by *Employment Regulation Order [Catering Joint Labour Committee (for the areas known until 1st January, 1994 as the County Borough of Dublin and the Borough of Dun Laoghaire)] 2004* (S.I. No. 702 of 2004); revoked (23.11.2005) by *Employment Regulation Order [Catering Joint Labour Committee (for the areas known until 1st January, 1994 as the County Borough of Dublin and the Borough of Dun Laoghaire)] 2005* (S.I. No. 723 of 2005).

- (23.04.2004) by *Employment Regulation Order (Catering Joint Labour Committee (for areas other than the areas known, until 1st January, 1994, as the County Borough of Dublin and the Borough of Dun Laoghaire) 2004* (S.I. No. 144 of 2004); revoked (18.11.2005) by *Employment Regulation Order (Catering Joint Labour Committee (for areas other than the areas known, until 1st January, 1994, as the County Borough of Dublin and the Borough of Dun Laoghaire) 2005* (S.I. No. 702 of 2005).
- (10.10.2003) by *Employment Regulation Order (Catering Joint Labour Committee (for the areas known until 1st January, 1994 as the County Borough of Dublin and the Borough of Dun Laoghaire) 2003* (S.I. No. 457 of 2003); revoked (23.11.2004) by *Employment Regulation Order [Catering Joint Labour Committee (for the areas known until 1st January, 1994 as the County Borough of Dublin and the Borough of Dun Laoghaire)] 2004* (S.I. No. 702 of 2004).
- (10.10.2003) by *Employment Regulation Order (Catering Joint Labour Committee (for areas other than the areas known, until 1st January, 1994, as the County Borough of Dublin and the Borough of Dun Laoghaire) 2003* (S.I. No. 460 of 2003); revoked (23.04.2004) by *Employment Regulation Order (Catering Joint Labour Committee (for areas other than the areas known, until 1st January, 1994, as the County Borough of Dublin and the Borough of Dun Laoghaire) 2004* (S.I. No. 144 of 2004).
- (22.10.2002) by *Employment Regulation Order (Catering Joint Labour Committee) 2002* (S.I. No. 475 of 2002); revoked (10.10.2003) by *Employment Regulation Order (Catering Joint Labour Committee (for areas other than the areas known, until 1st January, 1994, as the County Borough of Dublin and the Borough of Dun Laoghaire) 2003* (S.I. No. 460 of 2003).
- (18.07.2001) by *Employment Regulation Order (Catering Joint Labour Committee) 2001* (S.I. No. 303 of 2001); revoked (22.10.2002) by *Employment Regulation Order (Catering Joint Labour Committee) 2002* (S.I. No. 475 of 2002).
- (3.10.2000) by *Employment Regulation Order (Catering Joint Labour Committee) 2000* (S.I. No. 285 of 2000); revoked (18.07.2001) by *Employment Regulation Order (Catering Joint Labour Committee) 2001* (S.I. No. 303 of 2001).
- (1.04.1999) by *Employment Regulation Order (Catering Joint Labour Committee) 1999* (S.I. No. 68 of 1999); revoked (3.10.2000) by *Employment Regulation Order (Catering Joint Labour Committee) 2000* (S.I. No. 285 of 2000).
- (18.09.1998) by *Employment Regulation Order (Catering Joint Labour Committee) 1998* (S.I. No. 329 of 1998); revoked (1.04.1999) by *Employment Regulation Order (Catering Joint Labour Committee) 1999* (S.I. No. 68 of 1999).
- (19.08.1997) by *Employment Regulation Order (Catering Joint Labour Committee) 1997* (S.I. No. 341 of 1997); revoked (18.09.1998) by *Employment Regulation Order (Catering Joint Labour Committee) 1998* (S.I. No. 329 of 1998).
- (1.07.1996) by *Employment Regulation Order (Catering Joint Labour Committee) 1996* (S.I. No. 193 of 1996); revoked (19.08.1997) by *Employment Regulation Order (Catering Joint Labour Committee) 1997* (S.I. No. 341 of 1997).
- (8.08.1995) by *Employment Regulation Order (Catering Joint Labour Committee) 1995* (S.I. No. 210 of 1995); revoked (1.07.1996) by *Employment Regulation Order (Catering Joint Labour Committee) 1996* (S.I. No. 193 of 1996).
- (8.08.1994) by *Employment Regulation Order (Catering Joint Labour Committee) 1994* (S.I. No. 247 of 1994); revoked (8.08.1995) by *Employment Regulation Order (Catering Joint Labour Committee) 1995* (S.I. No. 210 of 1995).
- (10.08.1993) by *Employment Regulation Order (Catering Joint Labour Committee) 1993* (S.I. No. 220 of 1993); revoked (8.08.1994) by *Employment Regulation Order (Catering Joint Labour Committee) 1994* (S.I. No. 247 of 1994).
- (1.07.1992) by *Employment Regulation Order (Catering Joint Labour Committee) 1992* (S.I. No. 151 of 1992); revoked (10.08.1993) by *Employment Regulation Order (Catering Joint Labour Committee) 1993* (S.I. No. 220 of 1993).

- (1.07.1991) by *Employment Regulation Order (Catering Joint Labour Committee) 1991* (S.I. No. 155 of 1991); revoked (1.07.1992) by *Employment Regulation Order (Catering Joint Labour Committee) 1992* (S.I. No. 151 of 1992).

Contract Cleaning Joint Labour Committee

E40 Power pursuant to section exercised:

- (29.06.2007) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2007* (S.I. No. 311 of 2007). Contract Cleaning (City and County of Dublin) Joint Labour Committee abolished (14.09.2007) by *Contract Cleaning (City and County of Dublin) Joint Labour Committee (Abolition) Order 2007* (S.I. No. 624 of 2007).
- (29.06.2007) by *Employment Regulation Order (Contract Cleaning (excluding the City and County of Dublin) Joint Labour Committee) 2007* (S.I. No. 310 of 2007). Contract Cleaning (excluding the City and County of Dublin) Joint Labour Committee abolished (14.09.2007) by *Contract Cleaning (City and County of Dublin) Joint Labour Committee (Abolition) Order 2007* (S.I. No. 623 of 2007).
- (2.09.2006) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) (No. 2) 2006* (S.I. No. 458 of 2006); revoked (29.06.2007) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2007* (S.I. No. 311 of 2007).
- (2.09.2006) by *Employment Regulation Order (Contract Cleaning (excluding the City and County of Dublin) Joint Labour Committee) (No. 2) 2006* (S.I. No. 459 of 2006); revoked (29.06.2007) by *Employment Regulation Order (Contract Cleaning (excluding the City and County of Dublin) Joint Labour Committee) 2007* (S.I. No. 310 of 2007).
- (2.03.2006) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2006* (S.I. No. 72 of 2006); revoked (2.09.2006) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) (No. 2) 2006* (S.I. No. 458 of 2006).
- (2.03.2006) by *Employment Regulation Order (Contract Cleaning (excluding the City and County of Dublin) Joint Labour Committee) 2006* (S.I. No. 73 of 2006); revoked (2.09.2006) by *Employment Regulation Order (Contract Cleaning (excluding the City and County of Dublin) Joint Labour Committee) (No. 2) 2006* (S.I. No. 459 of 2006).
- (2.09.2005) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2005* (S.I. No. 523 of 2005); revoked (2.03.2006) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2006* (S.I. No. 72 of 2006).
- (2.09.2005) by *Employment Regulation Order (Contract Cleaning (excluding the City and County of Dublin) Joint Labour Committee) 2005* (S.I. No. 524 of 2005); revoked (2.03.2006) by *Employment Regulation Order (Contract Cleaning (excluding the City and County of Dublin) Joint Labour Committee) 2006* (S.I. No. 73 of 2006).
- (1.03.2004) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2004* (S.I. No. 59 of 2004); revoked (2.09.2005) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2005* (S.I. No. 523 of 2005).
- (1.03.2004) by *Employment Regulation Order (Contract Cleaning (excluding the City and County of Dublin) Joint Labour Committee) 2004* (S.I. No. 60 of 2004); revoked (2.09.2005) by *Employment Regulation Order (Contract Cleaning (excluding the City and County of Dublin) Joint Labour Committee) 2005* (S.I. No. 524 of 2005).
- (1.08.2003) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2003* (S.I. No. 353 of 2003); revoked (1.03.2004) *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2004* (S.I. No. 59 of 2004).

- (1.08.2003) by *Employment Regulation Order (Contract Cleaning (excluding the City and County of Dublin) Joint Labour Committee) 2003* (S.I. No. 354 of 2003); revoked (1.03.2004) by *Employment Regulation Order (Contract Cleaning (excluding the City and County of Dublin) Joint Labour Committee) 2004* (S.I. No. 60 of 2004).
- (7.05.2002) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2002* (S.I. No. 157 of 2002); revoked (1.08.2003) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2003* (S.I. No. 353 of 2003).
- (7.05.2002) by *Employment Regulation Order (Contract Cleaning (excluding the City and County of Dublin) Joint Labour Committee) 2002* (S.I. No. 158 of 2002); revoked (1.08.2003) by *Employment Regulation Order (Contract Cleaning (excluding the City and County of Dublin) Joint Labour Committee) 2003* (S.I. No. 354 of 2003).
- (10.05.2001) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2001* (S.I. No. 184 of 2001); revoked (7.05.2002) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2002* (S.I. No. 157 of 2002).
- (10.05.2001) by *Employment Regulation Order (Contract Cleaning (excluding the City and County of Dublin) Joint Labour Committee) 2001* (S.I. No. 185 of 2001); revoked (7.05.2002) by *Employment Regulation Order (Contract Cleaning (excluding the City and County of Dublin) Joint Labour Committee) 2002* (S.I. No. 158 of 2002).
- (1.04.2000) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2000* (S.I. No. 84 of 2000); revoked (10.05.2001) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2001* (S.I. No. 184 of 2001).
- (1.06.1999) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1999* (S.I. No. 152 of 1999); revoked (1.04.2000) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 2000* (S.I. No. 84 of 2000).
- (6.06.1998) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1998* (S.I. No. 176 of 1998); revoked (1.06.1999) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1999* (S.I. No. 152 of 1999).
- (1.06.1997) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1997* (S.I. No. 187 of 1997); revoked (1.06.1999) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1999* (S.I. No. 152 of 1999).
- (28.06.1996) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1996* (S.I. No. 194 of 1996); superseded (1.06.1997) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1997* (S.I. No. 187 of 1997).
- (12.07.1995) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1995* (S.I. No. 180 of 1995); superseded (28.06.1996) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1996* (S.I. No. 194 of 1996).
- (13.06.1994) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1994* (S.I. No. 169 of 1994); superseded (12.07.1995) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1995* (S.I. No. 180 of 1995).
- (14.06.1993) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1993* (S.I. No. 140 of 1993); superseded (13.06.1994) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1994* (S.I. No. 169 of 1994).

- (15.06.1992) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1992* (S.I. No. 138 of 1992); superseded (14.06.1993) by *Employment Regulation Order (Contract Cleaning (City and County of Dublin) Joint Labour Committee) 1993* (S.I. No. 140 of 1993).

Hairdressing Joint Labour Committee

E41 Previous affecting provisions: power pursuant to section exercised:

- (11.07.2008) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 2008* (S.I. No. 249 of 2008). Hairdressing Joint Labour Committee abolished (10.02.2009) by *Hairdressing Joint Labour Committee (Abolition) Order 2009* (S.I. No. 44 of 2009).
- (6.06.2008) by *Employment Regulation Order (Hairdressing (for the area known until 1st January, 2002 as Cork County Borough and, thereafter, known as Cork City) Joint Labour Committee) 2008* (S.I. No. 144 of 2008). Hairdressing (Cork County Borough) Joint Labour Committee abolished (10.02.2009) by *Hairdressing (Cork County Borough) Joint Labour Committee (Abolition) Order 2009* (S.I. No. 43 of 2009).
- (20.07.2007) by *Employment Regulation Order (Hairdressing Joint Labour Committee) (No. 2), 2007* (S.I. No. 505 of 2007); revoked (11.07.2008) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 2008* (S.I. No. 249 of 2008).
- (23.01.2007) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 2007* (S.I. No. 7 of 2007); revoked (20.07.2007) by *Employment Regulation Order (Hairdressing Joint Labour Committee) (No. 2) 2007* (S.I. No. 505 of 2007).
- (6.06.2007) by *Employment Regulation Order (Hairdressing (For The Area Known Until 1st January, 2002 As Cork County Borough And, Thereafter, Known As Cork City) Joint Labour Committee) 2007* (S.I. No. 244 of 2007); revoked (6.06.2008) by *Employment Regulation Order (Hairdressing (for the Area Known Until 1st January, 2002 As Cork County Borough and, thereafter, Known As Cork City) Joint Labour Committee) 2008* (S.I. No. 144 of 2008).
- (6.06.2006) by *Employment Regulation Order (Hairdressing (for the Area Known Until 1st January, 2002 as Cork County Borough and, Thereafter, Known as Cork City) Joint Labour Committee) 2006* (S.I. No. 276 of 2006); revoked (6.06.2007) by *Employment Regulation Order (Hairdressing (For The Area Known Until 1st January, 2002 As Cork County Borough And, Thereafter, Known As Cork City) Joint Labour Committee) 2007* (S.I. No. 244 of 2007).
- (22.07.2005) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 2005* (S.I. No. 376 of 2005); revoked (23.01.2007) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 2007* (S.I. No. 7 of 2007).
- (22.07.2005) by *Employment Regulation Order (Hairdressing (for the Area Known Until 1st January, 2002 as Cork County Borough and, Thereafter, Known as Cork City) Joint Labour Committee) 2005* (S.I. No. 377 of 2005); revoked (6.06.2006) by *Employment Regulation Order (Hairdressing (For The Area Known Until 1st January, 2002 As Cork County Borough And, Thereafter, Known As Cork City) Joint Labour Committee) 2006* (S.I. No. 276 of 2006).
- (1.09.2004) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 2004* (S.I. No. 518 of 2004); revoked (22.07.2005) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 2005* (S.I. No. 376 of 2005).
- (1.09.2004) by *Employment Regulation Order (Hairdressing (Cork County Borough) Joint Labour Committee) (No. 2) 2004* (S.I. No. 519 of 2004); revoked (22.07.2005) by *Employment Regulation Order (Hairdressing (for the Area Known Until 1st January, 2002 as Cork County Borough and, Thereafter, Known as Cork City) Joint Labour Committee) 2005* (S.I. No. 377 of 2005).
- (10.02.2004) by *Employment Regulation Order (Hairdressing (Cork County Borough) Joint Labour Committee) 2004* (S.I. No. 43 of 2004); revoked (1.09.2004) by *Employment Regulation Order (Hairdressing (Cork County Borough) Joint Labour Committee) (No. 2) 2004* (S.I. No. 519 of 2004).

- (29.11.2003) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 2003* (S.I. No. 612 of 2003); revoked (1.09.2004) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 2004* (S.I. No. 518 of 2004).
- (29.11.2002) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 2002* (S.I. No. 532 of 2002); revoked (29.11.2003) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 2003* (S.I. No. 612 of 2003).
- (30.03.2001) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 2001* (S.I. No. 96 of 2001); revoked (29.11.2002) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 2002* (S.I. No. 532 of 2002).
- (21.07.2000) by *Employment Regulation Order (Hairdressing Joint Labour Committee) (No. 2) 2000* (S.I. No. 228 of 2000); revoked (30.03.2001) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 2001* (S.I. No. 96 of 2001).
- (10.01.2000) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 2000* (S.I. No. 1 of 2000); revoked (21.07.2000) by *Employment Regulation Order (Hairdressing Joint Labour Committee) (No. 2) 2000* (S.I. No. 228 of 2000).
- (1.09.1998) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 1998* (S.I. No. 308 of 1998); revoked (10.01.2000) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 2000* (S.I. No. 1 of 2000).
- (1.09.1997) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 1997* (S.I. No. 354 of 1997); revoked (1.09.1998) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 1998* (S.I. No. 308 of 1998).
- (6.03.1996) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 1996* (S.I. No. 20 of 1996); revoked (1.09.1997) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 1997* (S.I. No. 354 of 1997).
- (6.03.1995) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 1995* (S.I. No. 48 of 1995); revoked (6.03.1996) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 1996* (S.I. No. 20 of 1996).
- (7.03.1994) by *Employment Regulation Order (Hairdressing (Cork County Borough) Joint Labour Committee) 1994* (S.I. No. 40 of 1994); revoked (10.02.2004) by *Employment Regulation Order (Hairdressing (Cork County Borough) Joint Labour Committee) 2004* (S.I. No. 43 of 2004).
- (29.11.1993) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 1993* (S.I. No. 333 of 1993); revoked (6.03.1995) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 1995* (S.I. No. 48 of 1995).
- (13.07.1992) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 1992* (S.I. No. 185 of 1992); revoked (29.11.1993) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 1993* (S.I. No. 333 of 1993).
- (10.06.1991) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 1991* (S.I. No. 132 of 1991); revoked (13.07.1992) by *Employment Regulation Order (Hairdressing Joint Labour Committee) 1992* (S.I. No. 185 of 1992).

Handkerchief and Household Piece Goods Joint Labour Committee

E42 Previous affecting provisions: power pursuant to section exercised:

- (10.10.2006) by *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 2006* (S.I. No. 513 of 2006). Handkerchief and Household Piece Goods Joint Labour Committee abolished (26.08.2008) by *Handkerchief and Household Piece Goods Joint Labour Committee (Abolition) Order 2008* (S.I. No. 330 of 2008), reg. 3.

- (1.10.2005) by *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 2005* (S.I. No. 609 of 2005); revoked (10.10.2006) by *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 2006* (S.I. No. 513 of 2006).
- (1.11.2004) by *Employment Regulation Order (Handkerchief and Household Piece Goods) Joint Labour Committee 2004* (S.I. No. 681 of 2004); revoked (1.10.2005) by *Employment Regulation Order (Handkerchief and Household Piece Goods) Joint Labour Committee 2005* (S.I. No. 609 of 2005).
- (17.06.2003) by *Employment Regulation Order (Handkerchief and Household Piece Goods) Joint Labour Committee 2003* (S.I. No. 222 of 2003); revoked (1.11.2004) by *Employment Regulation Order (Handkerchief and Household Piece Goods) Joint Labour Committee 2004* (S.I. No. 681 of 2004).
- (24.05.2002) by *Employment Regulation Order (Handkerchief and Household Piece Goods) Joint Labour Committee 2002* (S.I. No. 200 of 2002); revoked (17.06.2003) by *Employment Regulation Order (Handkerchief and Household Piece Goods) Joint Labour Committee 2003* (S.I. No. 222 of 2003).
- (26.06.2001) by *Employment Regulation Order (Handkerchief and Household Piece Goods) Joint Labour Committee 2001* (S.I. No. 259 of 2001); revoked (24.05.2002) by *Employment Regulation Order (Handkerchief and Household Piece Goods) Joint Labour Committee 2002* (S.I. No. 200 of 2002).
- (19.09.2000) by *Employment Regulation Order (Handkerchief and Household Piece Goods) Joint Labour Committee 2000* (S.I. No. 277 of 2000); revoked (26.06.2001) by *Employment Regulation Order (Handkerchief and Household Piece Goods) Joint Labour Committee 2001* (S.I. No. 259 of 2001).
- (15.02.1999) by *Employment Regulation Order (Handkerchief and Household Piece Goods) Joint Labour Committee 1999* (S.I. No. 36 of 1999); revoked (19.09.2000) by *Employment Regulation Order (Handkerchief and Household Piece Goods) Joint Labour Committee 2000* (S.I. No. 277 of 2000).
- (7.08.1998) by *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) (No. 2) 1998* (S.I. No. 276 of 1998); revoked (15.02.1999) by *Employment Regulation Order (Handkerchief and Household Piece Goods) Joint Labour Committee 1999* (S.I. No. 36 of 1999).
- (23.01.1998) by *Employment Regulation Order (Handkerchief and Household Piece Goods) Joint Labour Committee 1998* (S.I. No. 9 of 1998); revoked (7.08.1998) by *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) (No. 2) 1998* (S.I. No. 276 of 1998).
- (17.03.1997) by *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 1997* (S.I. No. 114 of 1997); revoked (23.01.1998) by *Employment Regulation Order (Handkerchief and Household Piece Goods) Joint Labour Committee 1998* (S.I. No. 9 of 1998).
- (1.01.1996) by *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 1995* (S.I. No. 331 of 1995); revoked (17.03.1997) by *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 1997* (S.I. No. 114 of 1997).
- (2.01.1995) by *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) (No. 2) 1994* (S.I. No. 432 of 1994); revoked (1.01.1996) by *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 1995* (S.I. No. 331 of 1995).
- (10.05.1994) by *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 1994* (S.I. No. 127 of 1994); revoked (2.01.1995) by *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) (No. 2) 1994* (S.I. No. 432 of 1994).

- (1.01.1993) by *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 1992* (S.I. No. 377 of 1992); revoked (10.05.1994) by *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 1994* (S.I. No. 127 of 1994).
- (2.02.1992) by *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee), No. 2 1991* (S.I. No. 324 of 1991); revoked (1.01.1993) by *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 1992* (S.I. No. 377 of 1992).
- (15.04.1991) by *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee) 1991* (S.I. No. 79 of 1991); revoked (2.02.1992) by *Employment Regulation Order (Handkerchief and Household Piece Goods Joint Labour Committee), No. 2 1991* (S.I. No. 324 of 1991).

Hotels Joint Labour Committee

E43 Previous affecting provisions: power pursuant to section exercised:

- (16.09.2009) by *Employment Regulation Order (Hotels Joint Labour Committee) 2009* (S.I. No. 359 of 2009).
- (23.05.2008) by *Employment Regulation Order (Hotels Joint Labour Committee) 2008* (S.I. No. 149 of 2008); revoked (16.09.2009) by *Employment Regulation Order (Hotels Joint Labour Committee) 2009* (S.I. No. 359 of 2009).
- (16.01.2007) by *Employment Regulation Order (Hotels Joint Labour Committee) 2007* (S.I. No. 4 of 2007); revoked (23.05.2008) by *Employment Regulation Order (Hotels Joint Labour Committee) 2008* (S.I. No. 149 of 2008).
- (23.09.2005) by *Employment Regulation Order (Hotels Joint Labour Committee) 2005* (S.I. No. 558 of 2005); revoked (16.01.2007) by *Employment Regulation Order (Hotels Joint Labour Committee) 2007* (S.I. No. 4 of 2007).
- (3.02.2004) by *Employment Regulation Order (Hotels Joint Labour Committee) 2004* (S.I. No. 15 of 2004); revoked (23.09.2005) by *Employment Regulation Order (Hotels Joint Labour Committee) 2005* (S.I. No. 558 of 2005).
- (21.03.2003) by *Employment Regulation Order (Hotels Joint Labour Committee) 2003* (S.I. No. 96 of 2003); revoked (3.02.2004) by *Employment Regulation Order (Hotels Joint Labour Committee) 2004* (S.I. No. 15 of 2004).
- (1.05.2002) by *Employment Regulation Order (Hotels Joint Labour Committee) 2002* (S.I. No. 137 of 2002); revoked (21.03.2003) by *Employment Regulation Order (Hotels Joint Labour Committee) 2003* (S.I. No. 96 of 2003).
- (19.12.2000) by *Employment Regulation Order (Hotels Joint Labour Committee) 2000* (S.I. No. 400 of 2000); revoked (1.05.2002) by *Employment Regulation Order (Hotels Joint Labour Committee) 2002* (S.I. No. 137 of 2002).
- (21.09.1999) by *Employment Regulation Order (Hotels Joint Labour Committee) 1999* (S.I. No. 283 of 1999); revoked (19.12.2000) by *Employment Regulation Order (Hotels Joint Labour Committee) 2000* (S.I. No. 400 of 2000).
- (18.09.1998) by *Employment Regulation Order (Hotels Joint Labour Committee) 1998* (S.I. No. 330 of 1998); revoked (21.09.1999) by *Employment Regulation Order (Hotels Joint Labour Committee) 1999* (S.I. No. 283 of 1999).
- (19.08.1997) by *Employment Regulation Order (Hotels Joint Labour Committee) 1997* (S.I. No. 342 of 1997); revoked (18.09.1998) by *Employment Regulation Order (Hotels Joint Labour Committee) 1998* (S.I. No. 330 of 1998).

- (24.07.1996) by *Employment Regulation Order (Hotels Joint Labour Committee) 1996* (S.I. No. 208 of 1996); revoked (19.08.1997) by *Employment Regulation Order (Hotels Joint Labour Committee) 1997* (S.I. No. 342 of 1997).
- (25.07.1995) by *Employment Regulation Order (Hotels Joint Labour Committee) 1995* (S.I. No. 193 of 1995); revoked (24.07.1996) by *Employment Regulation Order (Hotels Joint Labour Committee) 1996* (S.I. No. 208 of 1996).
- (8.08.1994) by *Employment Regulation Order (Hotels Joint Labour Committee) 1994* (S.I. No. 248 of 1994); revoked (25.07.1995) by *Employment Regulation Order (Hotels Joint Labour Committee) 1995* (S.I. No. 193 of 1995).
- (10.08.1993) by *Employment Regulation Order (Hotels Joint Labour Committee) 1993* (S.I. No. 221 of 1993); revoked (8.08.1994) by *Employment Regulation Order (Hotels Joint Labour Committee) 1994* (S.I. No. 248 of 1994).
- (1.07.1992) by *Employment Regulation Order (Hotels Joint Labour Committee) 1992* (S.I. No. 150 of 1992); revoked (10.08.1993) by *Employment Regulation Order (Hotels Joint Labour Committee) 1993* (S.I. No. 221 of 1993).
- (1.07.1991) by *Employment Regulation Order (Hotels Joint Labour Committee) 1991* (S.I. No. 154 of 1991); revoked (1.07.1992) by *Employment Regulation Order (Hotels Joint Labour Committee) 1992* (S.I. No. 150 of 1992).

Law Clerks Joint Labour Committee

E44 Previous affecting provisions: power pursuant to section exercised:

- (22.06.2009) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 2009* (S.I. No. 215 of 2009).
- (3.04.2007) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 2007* (S.I. No. 118 of 2007); revoked (22.06.2009) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 2009* (S.I. No. 215 of 2009).
- (19.05.2006) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 2006* (S.I. No. 249 of 2006); revoked (3.04.2007) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 2007* (S.I. No. 118 of 2007).
- (1.05.2005) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 2005* (S.I. No. 214 of 2005); revoked (19.05.2006) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 2006* (S.I. No. 249 of 2006).
- (10.09.2004) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 2004* (S.I. No. 522 of 2004); revoked (1.05.2005) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 2005* (S.I. No. 214 of 2005).
- (21.11.2003) by *Employment Regulation Order (Law Clerks Joint Labour Committee) (No. 2) 2003* (S.I. No. 543 of 2003); revoked (10.09.2004) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 2004* (S.I. No. 522 of 2004).
- (29.04.2003) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 2003* (S.I. No. 154 of 2003); revoked (21.11.2003) by *Employment Regulation Order (Law Clerks Joint Labour Committee) (No. 2) 2003* (S.I. No. 543 of 2003).
- (1.04.2002) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 2002* (S.I. No. 88 of 2002); revoked (29.04.2003) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 2003* (S.I. No. 154 of 2003).
- (10.04.2001) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 2001* (S.I. No. 122 of 2001); revoked (1.04.2002) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 2002* (S.I. No. 88 of 2002).

- (7.07.2000) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 2000* (S.I. No. 193 of 2000); revoked (10.04.2001) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 2001* (S.I. No. 122 of 2001).
- (1.04.1999) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 1999* (S.I. No. 67 of 1999); revoked (7.07.2000) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 2000* (S.I. No. 193 of 2000).
- (12.06.1998) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 1998* (S.I. No. 181 of 1998); revoked (1.04.1999) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 1999* (S.I. No. 67 of 1999).
- (1.07.1997) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 1997* (S.I. No. 273 of 1997); revoked (12.06.1998) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 1998* (S.I. No. 181 of 1998).
- (1.04.1996) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 1996* (S.I. No. 72 of 1996); revoked (1.07.1997) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 1997* (S.I. No. 273 of 1997).
- (1.08.1995) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 1995* (S.I. No. 189 of 1995); revoked (1.04.1996) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 1996* (S.I. No. 72 of 1996).
- (7.11.1994) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 1994* (S.I. No. 325 of 1994); revoked (1.08.1995) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 1995* (S.I. No. 189 of 1995).
- (23.08.1993) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 1993* (S.I. No. 239 of 1993); revoked (7.11.1994) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 1994* (S.I. No. 325 of 1994).
- (6.07.1992) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 1992* (S.I. No. 171 of 1992); revoked (23.08.1993) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 1993* (S.I. No. 239 of 1993).
- (10.06.1991) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 1991* (S.I. No. 131 of 1991); revoked (6.07.1992) by *Employment Regulation Order (Law Clerks Joint Labour Committee) 1992* (S.I. No. 171 of 1992).

Provender Milling Joint Labour Committee

E45 Previous affecting provisions: power pursuant to section exercised:

- (14.11.2006) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 2006* (S.I. No. 560 of 2006).
- (19.04.2005) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 2005* (S.I. No. 194 of 2005); revoked (14.11.2006) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 2006* (S.I. No. 560 of 2006).
- (1.08.2003) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 2003* (S.I. No. 355 of 2003); revoked (19.04.2005) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 2005* (S.I. No. 194 of 2005).
- (26.07.2002) by *Employment Regulation Order (Provender Milling Joint Labour Committee)(No.2) 2002* (S.I. No. 375 of 2002); revoked (1.08.2003) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 2003* (S.I. No. 355 of 2003).
- (19.07.2002) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 2002* (S.I. No. 353 of 2002); revoked (26.07.2002) by *Employment Regulation Order (Provender Milling Joint Labour Committee)(No.2) 2002* (S.I. No. 375 of 2002).

- (3.07.2001) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 2001* (S.I. No. 299 of 2001); revoked (26.07.2002) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 2002* (S.I. No. 353 of 2002).
- (1.09.2000) by *Employment Regulation Order (Provender Milling Joint Labour Committee)(No.2) 2000* (S.I. No. 259 of 2000); revoked (3.07.2001) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 2001* (S.I. No. 299 of 2001).
- (18.02.2000) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 2000* (S.I. No. 43 of 2000); revoked (1.09.2000) by *Employment Regulation Order (Provender Milling Joint Labour Committee) (No.2) 2000* (S.I. No. 259 of 2000).
- (6.08.1999) by *Employment Regulation Order (Provender Milling Joint Labour Committee)(No.2) 1999* (S.I. No. 236 of 1999); revoked (18.02.2000) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 2000* (S.I. No. 43 of 2000).
- (18.01.1999) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 1999* (S.I. No. 2 of 1999); revoked (6.08.1999) by *Employment Regulation Order (Provender Milling Joint Labour Committee) (No.2) 1999* (S.I. No. 236 of 1999).
- (1.07.1998) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 1998* (S.I. No. 197 of 1998); revoked (18.01.1999) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 1999* (S.I. No. 2 of 1999).
- (1.07.1997) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 1997* (S.I. No. 274 of 1997); revoked (1.07.1998) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 1998* (S.I. No. 197 of 1998).
- (14.06.1996) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 1996* (S.I. No. 168 of 1996); revoked (1.07.1997) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 1997* (S.I. No. 274 of 1997).
- (9.10.1995) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 1995* (S.I. No. 263 of 1995); revoked (14.06.1996) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 1996* (S.I. No. 168 of 1996).
- (7.06.1994) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 1994* (S.I. No. 164 of 1994); revoked (9.10.1995) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 1995* (S.I. No. 263 of 1995).
- (5.07.1993) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 1993* (S.I. No. 171 of 1993); revoked (7.06.1994) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 1994* (S.I. No. 164 of 1994).
- (15.06.1992) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 1992* (S.I. No. 139 of 1992); revoked (5.07.1993) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 1993* (S.I. No. 171 of 1993).
- (22.04.1991) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 1991* (S.I. No. 91 of 1991); revoked (15.06.1992) by *Employment Regulation Order (Provender Milling Joint Labour Committee) 1992* (S.I. No. 139 of 1992).

Retail Grocery and Allied Trades Joint Labour Committee

E46 Previous affecting provisions: power pursuant to section exercised:

- (1.06.2011) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2011* (S.I. No. 213 of 2011).
- (25.10.2010) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2010* (S.I. No. 448 of 2010); revoked (1.06.2011) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2011* (S.I. No. 213 of 2011).

- (25.10.2009) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2009* (S.I. No. 374 of 2009); revoked (25.10.2010) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2010* (S.I. No. 448 of 2010).
- (25.01.2008) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2008* (S.I. No. 5 of 2008); revoked (25.10.2009) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2009* (S.I. No. 374 of 2009).
- (16.12.2006) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) (No 2) 2006* (S.I. No. 591 of 2006); revoked (25.01.2008) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2008* (S.I. No. 5 of 2008).
- (16.06.2006) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2006* (S.I. No. 251 of 2006); revoked (16.12.2006) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) (No 2) 2006* (S.I. No. 591 of 2006).
- (16.09.2005) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2005* (S.I. No. 567 of 2005); revoked (16.06.2006) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2006* (S.I. No. 251 of 2006).
- (16.03.2004) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2004* (S.I. No. 88 of 2004); revoked (16.09.2005) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2005* (S.I. No. 567 of 2005).
- (13.12.2002) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2002* (S.I. No. 548 of 2002); revoked (16.03.2004) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2004* (S.I. No. 88 of 2004).
- (1.06.2001) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2001* (S.I. No. 208 of 2001); revoked (13.12.2002) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2002* (S.I. No. 548 of 2002).
- (6.03.2000) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2000* (S.I. No. 51 of 2000); revoked (1.06.2001) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2001* (S.I. No. 208 of 2001).
- (11.09.1998) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) (No.2) 1998* (S.I. No. 313 of 1998); revoked (6.03.2000) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 2000* (S.I. No. 51 of 2000).
- (10.02.1998) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 1998* (S.I. No. 18 of 1998); revoked (11.09.1998) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) (No.2) 1998* (S.I. No. 313 of 1998).
- (25.06.1997) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 1997* (S.I. No. 238 of 1997); revoked (10.02.1998) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 1998* (S.I. No. 18 of 1998).
- (25.06.1996) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 1996* (S.I. No. 181 of 1996); revoked (25.06.1997) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 1997* (S.I. No. 238 of 1997).
- (7.06.1995) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 1995* (S.I. No. 123 of 1995); revoked (25.06.1996) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 1996* (S.I. No. 181 of 1996).
- (7.06.1994) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 1994* (S.I. No. 163 of 1994); revoked (7.06.1995) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 1995* (S.I. No. 123 of 1995).
- (5.07.1993) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 1993* (S.I. No. 170 of 1993); revoked (7.06.1994) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 1994* (S.I. No. 163 of 1994).

- (4.05.1992) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 1992* (S.I. No. 94 of 1992); revoked (5.07.1993) by *Employment Regulation Order (Retail Grocery and Allied Trades Joint Labour Committee) 1993* (S.I. No. 170 of 1993).

Security Industry Joint Labour Committee

E47 Previous affecting provisions: power pursuant to section exercised:

- (1.01.2007) by *Employment Regulation Order (Security Industry Joint Labour Committee) 2006* (S.I. No. 500 of 2006).
- (1.07.2005) by *Employment Regulation Order (Security Industry Joint Labour Committee) 2005* (S.I. No. 78 of 2005); revoked (1.01.2007) by *Employment Regulation Order (Security Industry Joint Labour Committee) 2006* (S.I. No. 500 of 2006).
- (1.01.2004) by *Employment Regulation Order (Security Industry Joint Labour Committee) 2003* (S.I. No. 631 of 2003); revoked (1.07.2005) by *Employment Regulation Order (Security Industry Joint Labour Committee) 2005* (S.I. No. 78 of 2005).
- (1.03.2001) by *Employment Regulation Order (Security Industry Joint Labour Committee) 2001* (S.I. No. 35 of 2001); revoked (1.01.2004) by *Employment Regulation Order (Security Industry Joint Labour Committee) 2003* (S.I. No. 631 of 2003).
- (23.03.2000) by *Employment Regulation Order (Security Industry Joint Labour Committee) 2000* (S.I. No. 20 of 2000); revoked (1.03.2001) by *Employment Regulation Order (Security Industry Joint Labour Committee) 2001* (S.I. No. 35 of 2001).

Shirtmaking Joint Labour Committee

E48 Previous affecting provisions: power pursuant to section exercised:

- (10.10.2006) by *Employment Regulation Order (Shirtmaking Joint Labour Committee) 2006* (S.I. No. 514 of 2006). Shirtmaking Joint Labour Committee abolished (26.08.2008) by *Shirtmaking Joint Labour Committee (Abolition) Order 2008* (S.I. No. 331 of 2008).
- (1.10.2005) by *Employment Regulation Order (Shirtmaking Joint Labour Committee) 2005* (S.I. No. 606 of 2005). Shirtmaking Joint Labour Committee abolished (26.08.2008) by *Shirtmaking Joint Labour Committee (Abolition) Order 2008* (S.I. No. 331 of 2008).
- (1.11.2004) by *Employment Regulation Order (Shirtmaking) Joint Labour Committee 2004* (S.I. No. 682 of 2004); revoked (1.10.2005) by *Employment Regulation Order (Shirtmaking) Joint Labour Committee 2005* (S.I. No. 606 of 2005).
- (17.06.2003) by *Employment Regulation Order (Shirtmaking) Joint Labour Committee 2003* (S.I. No. 223 of 2003); revoked (1.11.2004) by *Employment Regulation Order (Shirtmaking) Joint Labour Committee 2004* (S.I. No. 682 of 2004).
- (24.05.2002) by *Employment Regulation Order (Shirtmaking) Joint Labour Committee 2002* (S.I. No. 201 of 2002); revoked (17.06.2003) by *Employment Regulation Order (Shirtmaking) Joint Labour Committee 2003* (S.I. No. 223 of 2003).
- (26.06.2001) by *Employment Regulation Order (Shirtmaking) Joint Labour Committee 2001* (S.I. No. 260 of 2001); revoked (24.05.2002) by *Employment Regulation Order (Shirtmaking) Joint Labour Committee 2002* (S.I. No. 201 of 2002).
- (19.09.2000) by *Employment Regulation Order (Shirtmaking) Joint Labour Committee 2000* (S.I. No. 275 of 2000); revoked (26.06.2001) by *Employment Regulation Order (Shirtmaking) Joint Labour Committee 2001* (S.I. No. 260 of 2001).
- (1.01.1999) by *Employment Regulation Order (Shirtmaking) Joint Labour Committee 1998 (No.2)* (S.I. No. 508 of 1998); revoked (19.09.2000) by *Employment Regulation Order (Shirtmaking) Joint Labour Committee 2000* (S.I. No. 275 of 2000).

- (23.01.1998) by *Employment Regulation Order (Shirtmaking) Joint Labour Committee 1998* (S.I. No. 10 of 1998); revoked (1.01.1999) by *Employment Regulation Order (Shirtmaking) Joint Labour Committee (No.2) 1998* (S.I. No. 508 of 1998).
- (17.03.1997) by *Employment Regulation Order Shirtmaking Joint Labour Committee) 1997* (S.I. No. 113 of 1997); revoked (23.01.1998) by *Employment Regulation Order (Shirtmaking Joint Labour Committee) 1998* (S.I. No. 10 of 1998).
- (1.01.1996) by *Employment Regulation Order (Shirtmaking Joint Labour Committee) 1995* (S.I. No. 332 of 1995); revoked (17.03.1997) by *Employment Regulation Order Shirtmaking Joint Labour Committee) 1997* (S.I. No. 113 of 1997).
- (2.01.1995) by *Employment Regulation Order (Shirtmaking Joint Labour Committee) (No. 2) 1994* (S.I. No. 433 of 1994); revoked (1.01.1996) by *Employment Regulation Order (Shirtmaking Joint Labour Committee) 1995* (S.I. No. 332 of 1995).
- (10.05.1994) by *Employment Regulation Order (Shirtmaking Joint Labour Committee) 1994* (S.I. No. 126 of 1994); revoked (2.01.1995) by *Employment Regulation Order (Shirtmaking Joint Labour Committee) (No. 2) 1994* (S.I. No. 433 of 1994).
- (1.01.1993) by *Employment Regulation Order (Shirtmaking Joint Labour Committee) 1992* (S.I. No. 376 of 1992); revoked (10.05.1994) by *Employment Regulation Order (Shirtmaking Joint Labour Committee) 1994* (S.I. No. 126 of 1994).
- (2.01.1992) by *Employment Regulation Order (Shirtmaking Joint Labour Committee), No. 2 1991* (S.I. No. 321 of 1991); revoked (1.01.1993) by *Employment Regulation Order (Shirtmaking Joint Labour Committee) 1992* (S.I. No. 376 of 1992).
- (15.04.1991) by *Employment Regulation Order (Shirtmaking Joint Labour Committee) 1991* (S.I. No. 81 of 1991); revoked (2.01.1992) by *Employment Regulation Order (Shirtmaking Joint Labour Committee), No. 2 1991* (S.I. No. 321 of 1991).

Tailoring Joint Labour Committee

E49 Previous affecting provisions: power pursuant to section exercised:

- (10.10.2006) by *Employment Regulation Order (Tailoring Joint Labour Committee) 2006* (S.I. No. 515 of 2006). Tailoring Joint Labour Committee abolished (26.08.2008) by *Tailoring Joint Labour Committee (Abolition) Order 2008* (S.I. No. 332 of 2008).
- (1.10.2005) by *Employment Regulation Order (Tailoring Joint Labour Committee) 2005* (S.I. No. 607 of 2005). Tailoring Joint Labour Committee abolished (26.08.2008) by *Tailoring Joint Labour Committee (Abolition) Order 2008* (S.I. No. 332 of 2008).
- (1.11.2004) *Employment Regulation Order (Tailoring Joint Labour Committee) 2004* (S.I. No. 683 of 2004); revoked (1.10.2005) by *Employment Regulation Order (Tailoring) Joint Labour Committee 2005* (S.I. No. 607 of 2005).
- (17.06.2003) *Employment Regulation Order (Tailoring Joint Labour Committee) 2003* (S.I. No. 224 of 2003); revoked (1.11.2004) by *Employment Regulation Order (Tailoring) Joint Labour Committee 2005* (S.I. No. 683 of 2004).
- (24.05.2002) *Employment Regulation Order (Tailoring Joint Labour Committee) 2002* (S.I. No. 202 of 2002); revoked (17.06.2003) by *Employment Regulation Order (Tailoring) Joint Labour Committee 2003* (S.I. No. 224 of 2003).
- (26.06.2001) *Employment Regulation Order (Tailoring Joint Labour Committee) 2001* (S.I. No. 257 of 2001); revoked (24.05.2002) by *Employment Regulation Order (Tailoring) Joint Labour Committee 2002* (S.I. No. 202 of 2002).
- (19.09.2000) *Employment Regulation Order (Tailoring Joint Labour Committee) 2000* (S.I. No. 276 of 2000); revoked (26.06.2001) by *Employment Regulation Order (Tailoring) Joint Labour Committee 2001* (S.I. No. 257 of 2001).

- (15.02.1999) *Employment Regulation Order (Tailoring Joint Labour Committee) 1999* (S.I. No. 35 of 1999); revoked (19.09.2000) by *Employment Regulation Order (Tailoring) Joint Labour Committee 2000* (S.I. No. 276 of 2000).
- (7.08.1998) *Employment Regulation Order (Tailoring Joint Labour Committee) (No.2) 1998* (S.I. No. 277 of 1998); revoked (15.02.1999) by *Employment Regulation Order (Tailoring) Joint Labour Committee 1999* (S.I. No. 35 of 1999).
- (23.01.1998) *Employment Regulation Order (Tailoring Joint Labour Committee) 1998* (S.I. No. 8 of 1998); revoked (7.08.1998) by *Employment Regulation Order (Tailoring) Joint Labour Committee (No.2) 1998* (S.I. No. 277 of 1998).
- (17.03.1997) by *Employment Regulation Order (Tailoring Joint Labour Committee) 1997* (S.I. No. 112 of 1997); revoked (23.01.1998) by *Employment Regulation Order (Tailoring Joint Labour Committee) 1998* (S.I. No. 8 of 1998).
- (1.01.1996) by *Employment Regulation Order (Tailoring Joint Labour Committee) 1995* (S.I. No. 330 of 1995); revoked (17.03.1997) by *Employment Regulation Order (Tailoring Joint Labour Committee) 1997* (S.I. No. 112 of 1997).
- (2.01.1995) by *Employment Regulation Order (Tailoring Joint Labour Committee) (No. 2) 1994* (S.I. No. 434 of 1994); revoked (1.01.1996) by *Employment Regulation Order (Tailoring Joint Labour Committee) 1995* (S.I. No. 330 of 1995).
- (10.05.1994) by *Employment Regulation Order (Tailoring Joint Labour Committee) 1994* (S.I. No. 124 of 1994); revoked (2.01.1995) by *Employment Regulation Order (Tailoring Joint Labour Committee) (No. 2) 1994* (S.I. No. 434 of 1994).
- (1.01.1993) by *Employment Regulation Order (Tailoring Joint Labour Committee) 1992* (S.I. No. 374 of 1992); revoked (10.05.1994) by *Employment Regulation Order (Tailoring Joint Labour Committee) 1994* (S.I. No. 124 of 1994).
- (2.01.1992) by *Employment Regulation Order (Tailoring Joint Labour Committee), No. 2 1991* (S.I. No. 323 of 1991); revoked (1.01.1993) by *Employment Regulation Order (Tailoring Joint Labour Committee) 1992* (S.I. No. 374 of 1992).
- (15.04.1991) *Employment Regulation Order (Tailoring Joint Labour Committee) 1991* (S.I. No. 80 of 1991); revoked (2.01.1992) by *Employment Regulation Order (Tailoring Joint Labour Committee), No. 2 1991* (S.I. No. 323 of 1991).

Women's Clothing and Millinery Joint Labour Committee

E50 Previous affecting provisions: power pursuant to section exercised:

- (10.10.2006) by *Employment Regulation Order (Women's Clothing And Millinery Joint Labour Committee) 2006* (S.I. No. 516 of 2006). Women's Clothing and Millinery Joint Labour Committee abolished (26.08.2008) by *Women's Clothing and Millinery Joint Labour Committee (Abolition) Order 2008* (S.I. No. 333 of 2008).
- (1.11.2004) by *Employment Regulation Order (Women's Clothing and Millinery) Joint Labour Committee 2004* (S.I. No. 684 of 2004); revoked (1.10.2005) by *Employment Regulation Order (Women's Clothing and Millinery) Joint Labour Committee 2005* (S.I. No. 608 of 2005).
- (17.06.2003) by *Employment Regulation Order (Women's Clothing and Millinery) Joint Labour Committee 2003* (S.I. No. 225 of 2003); revoked (1.11.2004) by *Employment Regulation Order (Women's Clothing and Millinery) Joint Labour Committee 2004* (S.I. No. 684 of 2004).
- (24.05.2002) by *Employment Regulation Order (Women's Clothing and Millinery) Joint Labour Committee 2002* (S.I. No. 203 of 2002); revoked (17.06.2003) by *Employment Regulation Order (Women's Clothing and Millinery) Joint Labour Committee 2003* (S.I. No. 225 of 2003).
- (26.06.2001) by *Employment Regulation Order (Women's Clothing and Millinery) Joint Labour Committee 2001* (S.I. No. 258 of 2001); revoked (24.05.2002) by *Employment Regulation Order (Women's Clothing and Millinery) Joint Labour Committee 2002* (S.I. No. 203 of 2002).

- (19.09.2000) by *Employment Regulation Order (Women's Clothing and Millinery) Joint Labour Committee 2000* (S.I. No. 274 of 2000); revoked (26.06.2001) by *Employment Regulation Order (Women's Clothing and Millinery) Joint Labour Committee 2001* (S.I. No. 258 of 2001).
- (1.01.1999) by *Employment Regulation Order (Women's Clothing and Millinery) Joint Labour Committee (No.2) 1998* (S.I. No. 509 of 1998); revoked (19.09.2000) by *Employment Regulation Order (Women's Clothing and Millinery) Joint Labour Committee 2000* (S.I. No. 274 of 2000).
- (23.01.1998) by *Employment Regulation Order (Women's Clothing and Millinery) Joint Labour Committee 1998* (S.I. No. 11 of 1998); revoked (1.01.1999) by *Employment Regulation Order (Women's Clothing and Millinery) Joint Labour Committee (No.2) 1998* (S.I. No. 509 of 1998).
- (17.03.1997) by *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 1997* (S.I. No. 115 of 1997); revoked (23.01.1998) by *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 1998* (S.I. No. 11 of 1998).
- (1.01.1996) by *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 1995* (S.I. No. 333 of 1995); revoked (17.03.1997) by *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 1997* (S.I. No. 115 of 1997).
- (2.01.1995) by *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) (No. 2) 1994* (S.I. No. 435 of 1994); revoked (1.01.1996) by *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 1995* (S.I. No. 333 of 1995).
- (10.05.1994) by *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 1994* (S.I. No. 125 of 1994); revoked (2.01.1995) by *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) (No. 2) 1994* (S.I. No. 435 of 1994).
- (1.01.1993) by *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 1992* (S.I. No. 375 of 1992); revoked (10.05.1994) by *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 1994* (S.I. No. 125 of 1994).
- (2.01.1992) by *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee), No. 2 1991* (S.I. No. 322 of 1991); revoked (1.01.1993) by *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 1992* (S.I. No. 375 of 1992).
- (15.04.1991) by *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee) 1991* (S.I. No. 78 of 1991); revoked (2.01.1992) by *Employment Regulation Order (Women's Clothing and Millinery Joint Labour Committee), No. 2 1991* (S.I. No. 322 of 1991).

Enforcement of employment regulation order by inspector by civil proceedings.

49.—(1) An inspector may institute on behalf of a worker civil proceedings for the enforcement of any right of action of the worker against his employer in respect of the failure of the employer to comply with a condition of employment of an employment regulation order and in any such proceedings an order may be made for the payment of costs by the inspector but not by the worker.

(2) The power given by *subsection (1)* shall not be in derogation of any right of the worker to institute civil proceedings on his own behalf.

Amendment of section 52 (2) (d) of Industrial Relations Act, 1946.

50.—Section 52 (2) (d) of the Industrial Relations Act, 1946 (which refers to failure or refusal to comply with any lawful requirement of an inspector) is hereby amended by the deletion of “wilfully” before “fails”.

Registered Employment Agreements

Records.

51.—(1) The employer of any workers to whom a registered employment agreement applies shall keep such records as are necessary to show that the registered employment agreement is being complied with and shall retain the records for three years.

(2) If an employer fails to comply with a provision of *subsection (1)* he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £500.

(3) If any employer required by this section to keep records keeps or causes to be kept, or produces or causes to be produced or knowingly allows to be produced to an inspector, any record which is false in a material respect knowing it to be false, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £1,000 or imprisonment for a period not exceeding three months or to both.

Powers of inspection for enforcement of registered employment agreement.

52.—The powers of inspection given to inspectors by section 12 of the Industrial Relations Act, 1969, shall be exercisable for the purpose of enforcing the provisions of section 32 of the Industrial Relations Act, 1946, and *section 51* of this Act and the said section 12 and this section shall be construed as one section.

Proof of registered employment agreement and related matters.

53.—(1) A copy of *Iris Oifigiúil* purporting to contain a notice published by the Court of the registration of an employment agreement shall be *prima facie* evidence of the making of that agreement.

(2) *Prima facie* evidence of a registered employment agreement or of the variation of an agreement may be given by the production of a document purporting to be a copy of the agreement or of the variation and to be published by the Court.

(3) A copy of *Iris Oifigiúil* purporting to contain a notice or list published by the Court under section 31 of the Industrial Relations Act, 1946, shall be *prima facie* evidence of the contents of the notice or list, including any particulars published therewith.

Enforcement of registered employment agreement by inspector by civil proceedings.

54.—(1) An inspector may, if it appears to him that a sum is due from an employer to a worker to whom a registered employment agreement applies or that the employer has failed to comply with a condition of any such agreement with respect to the worker, institute on behalf of that worker civil proceedings for the recovery of that sum or the enforcement of that condition and in any such proceedings an order may be made for the payment of costs by the inspector but not by the worker.

(2) The power given by *subsection (1)* shall not be in derogation of any right of the worker to institute civil proceedings on his own behalf.

Amendment of section 12 (2) (d) of Industrial Relations Act, 1969.

55.—Section 12 (2) (d) of the Industrial Relations Act, 1969 (which refers to failure or refusal to comply with a lawful requirement of an inspector) is hereby amended by the deletion of “wilfully” before “fails”.

Failure to Attend Sitting of Court

Evidence of failure to attend sitting of Court.

56.—(1) A document purporting to be sealed with the seal of the Court stating that—

(a) the person named in the document was, by a summons under section 21 of the Industrial Relations Act, 1946, summoned to attend as a witness before the Court on a day and at a place specified in the document,

(b) a sitting of the Court was held on that day and at that place, and

(c) the said person made default in attending the Court in pursuance of the summons,

shall, in a prosecution against the person so named for the alleged default, be received in evidence of the matters so stated without further proof.

(2) Section 18 of the Industrial Relations Act, 1946, shall apply to a document to which *subsection (1)* relates.

Section 4.

FIRST SCHEDULE

INCREASE OF FINES

Ref No.	Section	Fine
(1)	(2)	(3)
TRADE UNION ACT, 1871		
1	15	£200 per day.
2	16	£500, in lieu of five pounds. £1,000, in lieu of fifty pounds.
TRADE UNION ACT, 1941		
3	6(2)	£1,000 and a daily default fine of £200.
4	12(2)	£100 and a daily default fine of £10.
5	13(2)	£100 and a daily default fine of £10.
INDUSTRIAL RELATIONS ACT, 1946		
6	21(3)	£200.
7	32(4)	F12[£3,000] and a daily default fine of F13[£1,000].
8	45(1)	£750.
9	45(3) (a)	£750.
10	48(2)	£750.
11	49(3)	£500.
12	52(2)	£500.
13	52(3)	£1,000.
14	72(b)	£1,000.
INDUSTRIAL RELATIONS ACT, 1969		
15	10(2)	£1,000 and a daily default fine of £200.
16	10(3)	£1,000 and a daily default fine of £200.
17	12(2)	£500.
TRADE UNION ACT, 1975		
18	Section 10 (8): Schedule,	£200.
Paragraph 3 (1)		

Annotations**Amendments:**

- F12** Substituted (6.04.2004) by *Industrial Relations (Miscellaneous Provisions) Act 2004* (4/2004), s. 14, S.I. No. 138 of 2004.

F13 Substituted (6.04.2004) by *Industrial Relations (Miscellaneous Provisions) Act 2004 (4/2004)*, s. 14, S.I. No. 138 of 2004.

Section 7.

SECOND SCHEDULE

REPEALS

Session and Chapter or Number and Year	Short title	Extent of Repeal
38 & 39 Vict., c. 86	The Conspiracy, and Protection of Property Act, 1875	In section 3, the first paragraph, and the paragraph inserted by 6 Edw. 7, c. 47, section 1.
6 Edw. 7, c. 47	Trade Disputes Act, 1906	The whole Act.
No. 22 of 1941	Trade Union Act, 1941	Section 11 Section 15.
No. 26 of 1946	Industrial Relations Act, 1946	Section 4 Section 23 (2) Section 41 Section 43 (1) Section 64 Sections 67, 69, 71 and 72 Second Schedule.
No. 14 of 1969	Industrial Relations Act, 1969	Section 6 In section 10 (3) all words from “shall be liable on conviction” to “one hundred pounds and” Section 11 Section 17 Section 18.
No. 33 of 1971	Trade Union Act, 1971	Section 2 (3).
No. 15 of 1976	Industrial Relations Act, 1976	Section 2 Section 5.
No. 15 of 1982	Trade Disputes (Amendment) Act, 1982	The whole Act.

Section 21.

THIRD SCHEDULE

DEPOSITS

1. Where the number of members does not exceed 2,000, the deposit shall be £20,000.
2. Where the number of members exceeds 2,000 but does not exceed 5,000, the deposit shall be £20,000 together with £800 for each additional 300 members (or part of 300 members) in excess of 2,000 members.
3. Where the number of members exceeds 5,000 but does not exceed 10,000, the deposit shall be £28,000 together with £800 for each additional 500 members (or part of 500 members) in excess of 5,000 members.
4. Where the number of members exceeds 10,000 but does not exceed 20,000, the deposit shall be £36,000 together with £800 for each additional 1,000 members (or part of 1,000 members) in excess of 10,000 members.
5. Where the number of members exceeds 20,000 the deposit shall be £44,000 together with £800 for each additional 1,000 members (or part of 1,000 members) in excess of 20,000 members, but subject to an overriding maximum of £60,000.

Section 24.

FOURTH SCHEDULE

LABOUR RELATIONS COMMISSION

1. The Labour Relations Commission shall be a body corporate with perpetual succession and an official seal and power to sue and be sued in its corporate name.
2. The chairman shall be appointed by the Minister after consultation with such organisations as the Minister considers to be representative of workers and of employers and shall be appointed for such period and on such terms and conditions as the Minister determines.
3. Of the ordinary members of the Commission—
 - (a) two shall be workers' members;
 - (b) two shall be employers' members; and
 - (c) two shall be nominated by the Minister.
4. The workers' members shall be the persons nominated for appointment by the Minister by such organisation or organisations as the Minister determines to be representative of trade unions of workers.
5. The employers' members shall be the persons nominated for appointment by the Minister by such organisation or organisations as the Minister determines to be representative of employers.
6. Each ordinary member shall be a part-time member of the Commission and shall be appointed on such terms and conditions as the Minister determines.

7. The chairman and each ordinary member may be paid, out of moneys provided by the Oireachtas, such allowances for expenses as the Minister, with the consent of the Minister for Finance, determines.

8. The chairman or an ordinary member may resign his office by letter addressed to the Minister.

9. The Minister may remove the chairman or an ordinary member from office for stated reasons.

10. (1) Where the chairman or an ordinary member of the Commission is nominated as a member of Seanad Éireann or as a candidate for election to either House of the Oireachtas or to the European Parliament he shall thereupon cease to hold office.

(2) A person who is, for the time being, entitled under the Standing Orders of either House of the Oireachtas to sit therein or who is a member of the European Parliament shall, while he is so entitled or is such a member, be disqualified from becoming the chairman or an ordinary member of the Commission.

11. The seal of the Commission shall be authenticated by the signature of the chairman or an ordinary member authorised by the Commission to act in that behalf and the signature of an officer of the Commission authorised by the Commission to act in that behalf.

12. Judicial notice shall be taken of the seal of the Commission and every document purporting to be an instrument made by the Commission and to be sealed with the seal (purporting to be authenticated in accordance with *paragraph 11*) of the Commission shall be received in evidence and be deemed to be such instrument without proof unless the contrary is shown.

Section 44.

FIFTH SCHEDULE

CONSTITUTION AND PROCEEDINGS OF JOINT LABOUR COMMITTEES

1. In this Schedule—

“committee” means a joint labour committee;

“the Acts” means the Industrial Relations Acts, 1946 to 1990.

2. (1) Subject to *paragraph 3*, a committee shall consist of—

(a) one member (in this Schedule referred to as the independent member) appointed by the Minister and chosen as being an independent person, who shall be chairman of the committee, and

(b) members (in this Schedule referred to as representative members) appointed by the Court being—

(i) such number as the Court thinks fit of persons (in this Schedule referred to as representative (employers) members) who, in the opinion of the Court, represent employers in relation to whom the committee is to operate, and

(ii) an equal number of persons (in this Schedule referred to as representative (workers) members) who, in the opinion of the Court, represent workers in relation to whom the committee is to operate.

(2) Before appointing a representative member of a committee the Court shall, so far as is reasonably practicable, consult any organisation of employers or, as the case may be, workers concerned.

(3) The Minister shall appoint an independent person who shall act as independent member and chairman in the absence of the chairman and references in the Acts to an independent member or the chairman shall include references to a person so acting.

F14[(4) (a) Subject to clause (b), the independent member of a committee shall hold office for such period, not exceeding 5 years from the date of his or her appointment, as the Minister shall determine.

(b) Every person who, immediately before the commencement of section 15 of the Industrial Relations (Amendment) Act 2012, was an independent member of a committee shall cease to hold office as such independent member on that date.

(c) Where the term of office of an independent member of a committee expires under clause (b) or by the effluxion of time he or she shall be eligible for reappointment to that office.]

(5) Where a representative member of a committee ceases, in the opinion of the Court, to be representative of the employers or, as the case may be, workers whom he was appointed to represent, the Court shall determine his membership.

(6) The Court may, in its discretion, determine the membership of any representative member of a committee.

(7) Where the membership of any representative member of a committee is determined, such member shall cease to be a member of the committee.

3. In the case of the joint labour committee for agricultural workers established under section 4 of the Industrial Relations Act, 1976—

(a) the independent member shall be appointed by the Minister with the consent of the Minister for Agriculture and Food;

(b) the representative (employers) members of the committee shall be appointed by the Court from a panel prepared and presented to the Court by the Minister after consultation with such organisation or organisations representative of agricultural employers as the Minister thinks fit and with the consent of the Minister for Agriculture and Food;

(c) the representative (workers) members of the committee (to a number equal to the number of representative (employers) members) shall be appointed by the Court from a panel prepared and presented to the Court by the Minister after consultation with such organisation or organisations representative of agricultural workers as the Minister thinks fit and with the consent of the Minister for Agriculture and Food;

(d) *paragraph 2 (2)* shall not apply.

4. The proceedings of a committee shall not be invalidated by reason of any vacancy therein or of any defect in the appointment of a member.

5. In order to constitute a meeting of a committee the independent member and at least one-third of the whole number of the representative members must be present.

6. (1) Subject to the provisions of this paragraph, every member of a committee shall have one vote.

(2) If at any meeting of a committee the group of representative (employers) members present does not equal in number the group of representative (workers) members present—

(a) whichever of the said groups is in the majority may arrange that any one or more of its number shall refrain from voting so as to preserve equality,

(b) if no such arrangement is made, the chairman of the committee may adjourn the voting on any question to another meeting of the committee.

7. (1) A committee shall meet at such places and times as it may from time to time determine to be suitable for the discharge of its functions and may adjourn any of its meetings.

(2) A committee shall, save as otherwise provided by the Acts, adopt such procedure at its meetings and otherwise, as it may determine to be suitable for the discharge of its functions.

8. (1) A committee, with the consent of the Court, may appoint sub-committees to assist it.

(2) A sub-committee of a committee may consist of members of the committee and such other persons as the committee with the concurrence of the Court may appoint.

(3) A district trade committee established under the Trade Boards Acts, 1909 and 1918, established by a committee when it was a trade board shall be deemed to be a sub-committee appointed by the committee under *subparagraph (1)* of this paragraph.

9. Members of a committee or of a sub-committee, may be paid such remuneration and allowances (including compensation for loss of time) as the Minister, with the consent of the Minister for Finance, may determine.

10. In the case of each joint labour committee existing at the passing of this Act, the independent members shall be entitled to continue in office until the appointment of the independent member of that committee under *paragraph 2 (1) (a)* or *3*, as the case may require.

Annotations

Amendments:

F14 Substituted (1.08.2012) by *Industrial Relations (Amendment) Act 2012* (32/2012), s. 15, S.I. No. 302 of 2012.

Modifications (not altering text):

C18 Application of para. 6(1) restricted by *Industrial Relations Act 1946* (256/1946), s. 42B(9) as inserted (1.08.2012) by *Industrial Relations (Amendment) Act 2012* (32/2012), s. 12, S.I. No. 302 of 2012.

[Proposals by joint labour committee for employment regulation orders.

42B.— ...

(9) Where, at a meeting held under subsection (8), the joint labour committee fails to formulate or adopt proposals for an employment regulation order, the issues in dispute shall be determined by a majority of the votes of the members present and voting on the issue and, notwithstanding subparagraph (1) of paragraph 6 of the Fifth Schedule to the Industrial Relations Act 1990, if there is an equal division of votes the chairman shall cast his or her vote having regard to the recommendation of the Court.

...