



## **The Labour Court**

### **Industrial Relations (Amendment) Act 2015**

### **Labour Court (Registered Employment Agreements) Rules 2016**

#### **Interpretation**

In these rules: -

“act” means the Industrial Relations (Amendment) Act 2015

“agreement” means an employment agreement within the meaning of section 6 of the Act

“applicant” means a party to an employment agreement who, whether singularly or jointly with another such party, applies to have an employment agreement registered in the Register of Employment Agreements

“Court” means the Labour Court

“parties” has the meaning assigned to that term by section 6 of the Act

A word or expression used in these Rules which is also used in the Act has the same meaning in these Rules as it has in the Act unless a contrary intention appears

The Interpretation Act 2005 applies to these Rules

These Rules may be cited as “Labour Court (Registered Employment Agreements) Rules 2015

#### **Application to Register an Employment Agreement**

1. The application to register an agreement shall be made on a form provided for that purpose and shall state: -
  - (a) The name and address of the applicant;
  - (b) The name and address of the other parties to the agreement;
  - (c) Confirmation that all parties consent to the registration of the agreement;
  - (d) The title or description of the agreement;
  - (e) The date on which the agreement was concluded.
2. The application shall be accompanied by a copy of the agreement
3. An applicant that is a trade union of workers, and where the application is made jointly by more than one trade union of workers, each such trade union, shall furnish the Court with a Statutory Declaration within the meaning of the Statutory Declarations Act 1938, made by a person authorised in that behalf by the trade union, containing the following particulars:-
  - (a) The name of the applicant trade union
  - (b) The position held by the declarant;
  - (c) The registered address of the applicant trade union within the State
  - (d) The number of workers of the class, type or group to which the agreement relates who are members of the trade union of workers on whose behalf the application is made
  - (e) The number of workers of the class, type or group to which the employment agreement relates who are normally employed by the employers to which the agreement relates
  - (f) The declarant's means of knowledge of the matters referred to at paragraphs (d) and (e)
4. Before proceeding to consider the application the Court may request an applicant or any other party to the agreement to furnish:-
  - (a) Such additional information as it may require;

- (b) Such further evidence as it may require in support of the statements contained in the application form or in the Statutory Declaration provided in support of the application;
  - (c) Such evidence of the publication required by section 8(4) of the Act as the Court may specify;
5. Where the Court receives notice of an objection to the registration of an agreement in accordance with section 8(5)(a) of the Act it shall, unless it considers the objection frivolous, convene a hearing to consider such objections and shall inform every party interested and desiring to be heard of the date, time and place of the hearing;
- (a) Every party interested and desiring to be heard shall furnish the Court with a statement of their position on the application within such time as the Court may specify;
  - (b) As soon as may be after the hearing referred to at paragraph (a) the Court shall give its decision on the application in writing and the reasons thereof.

### **Variation of Registered Employment Agreements**

6. An application to vary a Registered Employment Agreement in accordance with section 9 of the Act shall be made in writing to the Court and shall state: -
- (a) The name and address of the applicant;
  - (b) Full details of the variation sought
7. An application to vary an agreement shall be accompanied by confirmation in writing that all parties to the agreement have consented to the variation sought
8. Where all parties to the agreement have not consented to the variation sought the procedures prescribed by section 9 of the Act shall apply

### **Revocation of Previous Rules**

9. The Labour Court Provisional (Part III) Rules 1946 are hereby revoked

