



## EQUALITY ACT 2017 (REMEDIES) ORDER 2018

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Statutory Document No. 2018/0289

*Equality Act 2017*

## EQUALITY ACT 2017 (REMEDIES) ORDER 2018

*Approved by Tynwald:* 11 December 2018  
*Coming into Operation:* 1 January 2019

The Department for Enterprise<sup>1</sup> makes the following Order under section 111(7) of the Equality Act 2017.

### 1 Title

This Order is the Equality Act 2017 (Remedies) Order 2018.

### 2 Commencement

If approved by Tynwald this Order comes into operation on 1 January 2019.

### 3 Amendment of section 111 of the Equality Act 2017

(1) Section 111 of the Equality Act 2017 is amended as follows.

(2) Insert<sup>2</sup> —

¶(2A) A person may assert any of the rights conferred on him or her by or under —

(a) the Redundancy Payments Act 1990; and

(b) Part III of the Shops Act 2000 (rights in respect of Sunday working),

by way of complaint or reference to the Tribunal and not otherwise. ¶.

(3) For subsection (3) substitute —

¶(3) A person may assert any of the rights conferred on him or her by or under —

<sup>1</sup> The former Department of Economic Development became the Department for Enterprise on 24 November 2017 pursuant to the Transfer of Functions (Economic Development and Education) Order 2017 (SD 2017/0325).

<sup>2</sup> For the precise location of the insertions made by paragraphs (2) and (5) see section 46(2)(a) of the Legislation Act 2015 (placing insertion if not specified exactly).

- (a) Part I (discrimination at recruitment on trade union grounds);
- (b) Part II (rights during employment);
- (c) sections 29 to 34 (inducements etc.) and 35 to 48 (time off work) of Part III (rights arising in course of employment);
- (d) Part V (detriment);
- (e) Part VI (suspension from work on maternity grounds);
- (f) Part VII (leave for family and domestic reasons);
- (g) Part VIII (right to be accompanied at disciplinary and grievance hearings);
- (h) section 110 (right to written statement of reasons for dismissal) of Part IX (termination of employment);
- (i) Part X (unfair dismissal);
- (j) Part XI (insolvency and cessation of business); and
- (k) sections 165 (part-time work: discrimination), 166 (limited-term employment), 166A (zero-hours contracts), 167 (annual leave and other working time cases) and 168 (death of employer or employee),

by way of complaint or reference to the Tribunal and not otherwise.

(3A) A person may assert any of the rights conferred on him or her by or under —

- (a) section 21 to 28 (deductions from wages etc.);
- (b) sections 106 to 109 and Schedule 2 (rights in relation to notice etc.),

by way of complaint or reference to the Tribunal. **22**.

(4) Omit subsections (4) and (5).

(5) Insert —

**23**(5A) A person may assert any of the rights conferred on him or her by or under the Minimum Wage Act 2001 by way of complaint or reference to the Tribunal. **22**.

- (6) At the end of the section add the following —

**66** *Note:* this section does not preclude a right of appeal to the High Court under section 127 (appeals) of this Act in relation to any of the provisions of the relevant enactments. **67**.

**MADE 14 NOVEMBER 2018**

**LAURENCE SKELLY**  
*Minister for Enterprise*

*EXPLANATORY NOTE**(This note is not part of the Order)*

This Order amends section 111 of the Equality Act to specify additional employment law provisions, the remedy for breach of which is by way of complaint to the Employment and Equality Tribunal.