

## SCHEDULES

### SCHEDULE 4

#### TRANSITIONAL PROVISIONS

- 1 Schedule 1 to this Act shall apply to dismissals where the effective date of termination (within the meaning of that Schedule) falls on or after the commencement of that Schedule.
- 2 Subject to any provision to the contrary contained in section 21 or 23 above, sections 22 to 33 of the 1971 Act (unfair dismissals) and the other provisions of that Act relating to proceedings for unfair dismissal shall, notwithstanding the repeal of that Act by this Act, continue to apply to dismissals where the effective date of termination falls before the commencement of Schedule 1 to this Act.
- 3 Parts III and IV of Schedule 1 to this Act shall apply to any act (other than a dismissal) done before the commencement of that Schedule in respect of which an industrial tribunal continues to have jurisdiction as if they had been in force when the act was done.
- 4 As respects proceedings pending in the National Industrial Relations Court immediately before the passing of this Act and transferred by section 21 above to the High Court or Court of Session, rules made by virtue of paragraph 24 of Schedule 3 to the 1971 Act (costs and expenses of parties) shall, notwithstanding the repeal of that Schedule by this Act, continue to have effect and shall with any necessary modifications, apply to the High Court and Court of Session as they applied before the passing of this Act to the National Industrial Relations Court.
- 5 Schedule 2 to this Act shall apply to a trade union's or employers' association's return and accounts for 1974 or the period substituted therefor by a direction under paragraph 5 of that Schedule, notwithstanding that that Schedule was not in force for the whole of that year or period.
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  - (1) In so far as anything done or treated as done under any enactment contained in the 1971 Act, which is re-enacted, with or without amendment, in a corresponding provision of Schedule 1 or Schedule 2 to this Act, could have been done under that provision, then, subject to sub-paragraph (3) below, it shall on the commencement of that Schedule have effect as if done under that provision.
  - (2) In particular, sub-paragraph (1) above applies to the following things done under any such enactment, that is to say—
    - any complaint presented ;
    - any application, determination, recommendation, award, order, regulations, appointment, request or report made ;
    - any certificate, exemption or notice given.
  - (3) Sub-paragraph (1) above shall not apply to anything done under those provisions of the 1971 Act which continue to apply to dismissals by virtue only of paragraph 2 above.

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

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- (4) Without prejudice to sub-paragraph (1) above, any regulations made wholly or partly under Section 46 of the Redundancy Payments Act 1965 and in force immediately before the passing of this Act shall so far as so made continue in force and have effect as if made under paragraph 21 of Schedule 1 to this Act.
- 7 Any enactment or document which refers, whether specifically or by means of a general description, to an enactment contained in the 1971 Act which is re-enacted, with or without amendment, in a corresponding provision of Schedule 1 or Schedule 2 to this Act shall, except so far as the context otherwise requires, be construed as referring, or as including a reference, to that corresponding provision.
- 8 Nothing in this Schedule shall be construed as prejudicing section 38 of the Interpretation Act 1889 (effect of repeals).