



# Employment Protection Act 1975

## 1975 CHAPTER 71

An Act to establish machinery for promoting the improvement of industrial relations; to amend the law relating to workers' rights and otherwise to amend the law relating to workers, employers, trade unions and employers' associations; to provide for the establishment and operation of a Maternity Pay Fund; to provide for the extension of the jurisdiction of<sup>F1</sup> employment tribunals]; to amend the law relating to entitlement to and recoupment of unemployment benefit and supplementary benefit; to amend the Employment Agencies Act 1973 as respects the exercise of licensing functions under that Act; to amend the Employment and Training Act 1973 as respects the status of bodies established, and the powers of the Secretary of State, under that Act; to amend the Health and Safety at Work etc. Act 1974 as respects the appointment of safety representatives, health and safety at work in agriculture, the status of bodies established and the disclosure of information obtained under that Act; to provide for the extension of employment legislation to certain parliamentary staff and to certain areas outside Great Britain; and for connected purposes. [12th November 1975]

### Annotations:

#### Amendments (Textual)

F1 Words in long title substituted (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2); S.I. 1998/1658, art. 2(1), Sch.

## PART I

### MACHINERY FOR PROMOTING THE IMPROVEMENT OF INDUSTRIAL RELATIONS

*Advisory, Conciliation and Arbitration Service, etc.*

F2<sup>1</sup> .....

*Changes to legislation:* There are outstanding changes not yet made by the legislation.gov.uk editorial team to Employment Protection Act 1975. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

**Annotations:**

**Amendments (Textual)**

**F2** Ss. 1-10 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F3**<sub>2</sub> .....

**Annotations:**

**Amendments (Textual)**

**F3** Ss. 1-10 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F4**<sub>3</sub> .....

**Annotations:**

**Amendments (Textual)**

**F4** Ss. 1-10 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F5**<sub>4</sub> .....

**Annotations:**

**Amendments (Textual)**

**F5** Ss. 1-10 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F6**<sub>5</sub> .....

**Annotations:**

**Amendments (Textual)**

**F6** Ss. 1-10 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F7**<sub>6</sub> .....

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**Annotations:**

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**Amendments (Textual)**

**F7** Ss. 1-10 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F8**7 .....

**Annotations:**

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**Amendments (Textual)**

**F8** Ss. 1-10 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F9**8 .....

**Annotations:**

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**Amendments (Textual)**

**F9** Ss. 1-10 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F10**9 .....

**Annotations:**

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**Amendments (Textual)**

**F10** Ss. 1-10 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F11**10 .....

**Annotations:**

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**Amendments (Textual)**

**F11** Ss. 1-10 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

11— ..... **F12**  
16.

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**Annotations:**

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**Amendments (Textual)**

**F12** Ss. 11–16, 98, Sch. 11 repealed with saving by [Employment Act 1980 \(c. 42\)](#), [Sch. 2](#) and S.I. 1980/1170, art. 4, [Sch. 3](#)

*Disclosure of information*

<sup>F13</sup> **17** .....

**Annotations:**

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**Amendments (Textual)**

**F13** Ss. 17-21 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

<sup>F14</sup> **18** .....

**Annotations:**

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**Amendments (Textual)**

**F14** Ss. 17-21 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

<sup>F15</sup> **19** .....

**Annotations:**

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**Amendments (Textual)**

**F15** Ss. 17-21 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

<sup>F16</sup> **20** .....

**Annotations:**

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**Amendments (Textual)**

**F16** Ss. 17-21 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

<sup>F17</sup> **21** .....

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**Annotations:**

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**Amendments (Textual)**

**F17** Ss. 17-21 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

**PART II**

**22—** ..... **F18**  
**39.**

**Annotations:**

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**Amendments (Textual)**

**F18** Ss. 22-39, 41-88, 108(2)-(8), 109, 112, 119(2)(8)-(11), 120, 121(8), 122(3), 124(2)-(4), 126(3)(5), 128(2), 129(2), Schs. 2-6, Sch. 12 Pt. II paras. 8-12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11, 13-16, 18-30, 34, Pt.IV para. 14, Sch. 17 paras. 7-10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), **Sch. 17**

**40**  
(1) ..... **F19**  
(2) ..... **F20**  
(3) ..... **F21**  
(4) .....  
(5) .....

**Annotations:**

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**Amendments (Textual)**

**F19** S. 40(1)(5)(6) repealed by Employment Act 1990 (c. 38, SIF 43:5), s. 16(2), **Sch. 3**  
**F20** S. 40(2)(4) repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), **Sch. 11** (with saving in S.I. 1987/406, **reg. 2(3)(b)**)  
**F21** S.40 (3) repealed by Social Security (Miscellaneous Provisions) Act 1977 (c. 5), **Sch. 2**

**41—88** ..... **F22**

**Annotations:**

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**Amendments (Textual)**

**F22** Ss. 22-39, 41-88, 108(2)-(8), 109, 112, 119(2)(8)-(11), 120, 121(8), 122(3), 124(2)-(4), 126(3)(5), 128(2), 129(2), Schs. 2-6, Sch. 12 Pt. II paras. 8-12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11, 13-16, 18-30, 34, Pt.IV para. 14, Sch. 17 paras. 7-10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), **Sch. 17**

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**PART III**

89— ..... F23  
96.

**Annotations:**

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**Amendments (Textual)**

**F23** Ss. 89–96, Schs. 7, 8, Sch. 17 para. 11 repealed by [Wages Councils Act 1979 \(c. 12\)](#), Schs 5, 7

*Powers of Agricultural Wages Boards*

**97 Amendments of Agricultural Wages Acts.**

- (1) For section 3 of the <sup>M1</sup> Agricultural Wages Act 1948 (power to fix remuneration and holidays) there shall be substituted the section set out in Part 1 of Schedule 9 to this Act (which reproduces section 3 with amendments enabling the Agricultural Wages Board to fix other terms and conditions of employment as well as remuneration and holidays and to specify the date from which remuneration fixed by them is to be payable).
- (2) The other provision of that Act shall have effect subject to the amendments set out in Part II of Schedule 9 to this Act, being minor and consequential amendments.
- (3) For section 3 of the <sup>M2</sup> Agricultural Wages (Scotland) Act 1949 (power to fix remuneration and holidays) there shall be substituted the section set out in Part 1 of Schedule 10 to this Act (which reproduces section 3 with amendments enabling the Scottish Agricultural Wages Board to fix other terms and conditions of employment as well as remuneration fixed by them is to be payable).
- (4) The other provisions of the said Act of 1949 shall have effect subject to the amendments set out in Part II of Schedule 10 to this Act, being minor and consequential amendments.

**Annotations:**

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**Modifications etc. (not altering text)**

**C1** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1)(2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1)(2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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**Marginal Citations**

**M1** 1948 c. 47.  
**M2** 1949 c. 30

98 ..... F24

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**Annotations:**

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**Amendments (Textual)**

**F24** Ss. 11–16, 98, Sch. 11 repealed with saving by [Employment Act 1980 \(c. 42\)](#), [Sch. 2](#) and S.I. 1980/1170, art. 4, [Sch. 3](#)

## PART IV

### PROCEDURE FOR HANDLING REDUNDANCIES

**Annotations:**

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**Modifications etc. (not altering text)**

**C2** [Pt. IV](#) (ss. 99–107) modified by S.I. 1981/1794, [reg. 11\(7\)\(a\)](#)

**F25**<sup>99</sup> .....

**Annotations:**

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**Amendments (Textual)**

**F25** Ss. 99–108 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F26**<sup>100</sup> .....

**Annotations:**

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**Amendments (Textual)**

**F26** Ss. 99–108 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F27**<sup>101</sup> .....

**Annotations:**

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**Amendments (Textual)**

**F27** Ss. 99–108 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F28**<sup>102</sup> .....

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**Annotations:**

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**Amendments (Textual)**

**F28** Ss. 99-108 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992](#) (c. 52), ss. 300(1), 302, [Sch.1](#).

<sup>F29</sup> **103** .....

**Annotations:**

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**Amendments (Textual)**

**F29** Ss. 99-108 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992](#) (c. 52), ss. 300(1), 302, [Sch.1](#).

**104** ..... <sup>F30</sup>

**Annotations:**

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**Amendments (Textual)**

**F30** Ss. 104, 105(4)(5) repealed by [Wages Act 1986](#) (c. 48, SIF 43:2), s. 32(2), [Sch. 5 Pt. I](#)  
Ss. 99-108 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992](#) (c. 52), ss. 300(1), 302, [Sch.1](#).

<sup>F31</sup> **105** .....

**Annotations:**

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**Amendments (Textual)**

**F31** Ss. 99-108 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992](#) (c. 52), ss. 300(1), 302, [Sch.1](#).

<sup>F32</sup> **106** .....

**Annotations:**

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**Amendments (Textual)**

**F32** Ss. 99-108 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992](#) (c. 52), ss. 300(1), 302, [Sch.1](#).

<sup>F33</sup> **107** .....

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**Annotations:**

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**Amendments (Textual)**

**F33** Ss. 99-108 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992](#) (c. 52), ss. 300(1), 302, [Sch.1](#).

**PART V**

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

**F34** **108** .....

**Annotations:**

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**Amendments (Textual)**

**F34** Ss. 99-108 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992](#) (c. 52), ss. 300(1), 302, [Sch.1](#).

**109** ..... **F35**

**Annotations:**

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**Amendments (Textual)**

**F35** Ss. 22-39, 41-88, 108(2)-(8), 109, 112, 119(2)(8)-(11), 120, 121(8), 122(3), 124(2)-(4), 126(3)(5), 128(2), 129(2), Schs. 2-6, Sch. 12 Pt. II paras. 8-12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11, 13-16, 18-30, 34, Pt.IV para. 14, Sch. 17 paras. 7-10, 16, 17 repealed by [Employment Protection \(Consolidation\) Act 1978](#) (c. 44), [Sch. 17](#)

**F36** **110** .....

**Annotations:**

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**Amendments (Textual)**

**F36** S. 110 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992](#) (c. 52), ss. 300(1), 302, [Sch.1](#).

**111 Disentitlement to unemployment benefit and supplementary benefit during trade dispute.**

- (1) In section 19(1) of the <sup>M3</sup> of the Social Security Act 1975 (disqualification for unemployment benefit where stoppage of work due to trade dispute)—
- (a) in paragraph (a) the words “or financing” and the word “and”, and
  - (b) paragraph (b),

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are hereby repealed.

(2) ..... F37

**Annotations:**

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**Amendments (Textual)**  
**F37** S. 111(2) repealed by [Supplementary Benefits Act 1976 \(c. 71\)](#), s. 35(3), **Sch. 8 Pt. II**

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**Modifications etc. (not altering text)**  
**C3** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1)(2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1)(2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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**Marginal Citations**  
**M3** [1975 c.14](#)

112 ..... F38

**Annotations:**

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**Amendments (Textual)**  
**F38** Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11 ,13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), **Sch. 17**

113 ..... F39

**Annotations:**

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**Amendments (Textual)**  
**F39** S. 113 repealed by [Social Security \(Miscellaneous Provisions\) Act 1977 \(c. 5\)](#), s. 24(6), **Sch. 2**

**114 Amendments of the Employment Agencies Act 1973.**

The <sup>M4</sup> Employment Agencies Act 1973 shall have effect subject to the amendments which transfer the licensing functions under that Act from local authorities to the Secretary of State.

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**Annotations:**

**Modifications etc. (not altering text)**

**C4** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1)(2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1)(2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M4** [1973 c.35](#)

**115 Amendments of the Employment and Training Act 1973.**

The <sup>M5</sup> Employment and Training Act 1973 shall have effect subject to the amendments specified in Schedule 14 to this Act, being amendments which provide for the status of the bodies established under section 1(1) of that Act and enlarge the powers of the Secretary of State to make arrangements for the purpose of providing or obtaining employment.

**Annotations:**

**Modifications etc. (not altering text)**

**C5** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1)(2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1)(2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M5** [1973 c.50](#)

**116 Amendments of the Health and Safety at work etc. Act 1974.**

The <sup>M6</sup> Health and Safety at Work etc. Act 1974 shall have effect subject to the amendments which restrict the appointment of safety representatives to those appointed by recognised trade unions, remove the special provisions relating to health and safety at work in agriculture and enable certain statements to be given notwithstanding the restrictions on disclosure of information obtained under that Act.

**Annotations:**

**Modifications etc. (not altering text)**

**C6** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1)(2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1)(2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the

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**Marginal Citations**

**M6** 1974 c.37

<sup>F40</sup>**117** .....

**Annotations:**

**Amendments (Textual)**

**F40** Ss. 117-119 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

<sup>F41</sup>**118** .....

**Annotations:**

**Amendments (Textual)**

**F41** Ss. 117-119 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

<sup>F42</sup>**119** .....

**Annotations:**

**Amendments (Textual)**

**F42** Ss. 117-119 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

**120** ..... <sup>F43</sup>

**Annotations:**

**Amendments (Textual)**

**F43** Ss. 22-39, 41-88, 108(2)-(8), 109, 112, 119(2)(8)-(11), 120, 121(8), 122(3), 124(2)-(4), 126(3)(5), 128(2), 129(2), Schs. 2-6, Sch. 12 Pt. II paras. 8-12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11, 13-16, 18-30, 34, Pt.IV para. 14, Sch. 17 paras. 7-10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), **Sch. 17**

<sup>F44</sup>**121** .....

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**Annotations:**

**Amendments (Textual)**

**F44** Ss. 121-123 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992](#) (c. 52), ss. 300(1), 302, [Sch.1](#).

<sup>F45</sup> **122** .....

**Annotations:**

**Amendments (Textual)**

**F45** Ss. 121-123 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992](#) (c. 52), ss. 300(1), 302, [Sch.1](#).

<sup>F46</sup> **123** .....

**Annotations:**

**Amendments (Textual)**

**F46** Ss. 121-123 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992](#) (c. 52), ss. 300(1), 302, [Sch.1](#).

**124 Financial provisions.**

- (1) Subject to the following provisions of this section, there shall be defrayed out of moneys provided by Parliament—
  - (a) all expenses incurred by the Secretary of State or any other Minister of the Crown or any government department in consequence of the provisions of this Act;
  - <sup>F47</sup>(b) .....
  - (c) any increase attributable to the provisions of this Act in the sums payable out of moneys so provided under any other enactment.
- (2) ..... <sup>F48</sup>
- (5) There shall be paid into the Consolidated Fund any sums received by a Minister of the Crown by virtue of this Act, except sums which are expressly required to be paid into the Maternity Pay Fund, the Redundancy Fund or the National Insurance Fund.
- (6) As respects any increase attributable to the provisions of this Act in the expenses which under [<sup>F49</sup>section 163(2)(a) of the Social Security Administration Act 1992] are to be paid out of moneys provided by Parliament, subsection (1)(c) above is without prejudice to the provision made by [<sup>F50</sup>section 165(5) of that Act] for reimbursement out of the National Insurance Fund.

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**Annotations:**

**Amendments (Textual)**

- F47** S. 124(1)(b) repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992](#) (c. 52), ss. 300(1), 302, **Sch.1**.
- F48** Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11, 13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by [Employment Protection \(Consolidation\) Act 1978](#) (c. 44), **Sch. 17**
- F49** Words in s. 124(6) substituted (1. 7. 1992) by [Social Security \(Consequential Provisions\) Act 1992](#) (c. 6), ss. 4, 7(2), **Sch. 2 para. 43(a)**.
- F50** Words in s. 124(6) substituted (1. 7. 1992) by [Social Security \(Consequential Provisions\) Act 1992](#) (c. 6), ss. 4, 7(2), **Sch. 2 para. 43(b)**.

**125 Minor and consequential amendments, transitional provisions and repeals.**

- (1) <sup>F51</sup> . . . the enactments specified in Part IV of that Schedule, shall have effect subject to the amendments so specified respectively, being minor amendments and amendments consequential on any provisions of this Act.
- (2) The transitional provisions in Schedule 17 to this Act shall have effect.
- (3) The enactments specified in Schedule 18 to this Act are hereby repealed to the extent specified in column 3 of that Schedule.

**Annotations:**

**Amendments (Textual)**

- F51** Words in s. 125(1) repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992](#) (c. 52), ss. 300(1), 302, **Sch.1**.

**Modifications etc. (not altering text)**

- C7** In s. 125(1) 'that Schedule' refers to Schedule 16 to this Act.
- C8** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1)(2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1)(2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

<sup>F52</sup> **126** .....

**Annotations:**

**Amendments (Textual)**

- F52** Ss. 126–128 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992](#) (c. 52), ss. 300(1), 302, **Sch.1**.

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**F53** 126A.....

**Annotations:**

**Amendments (Textual)**

**F53** S. 126A inserted by Employment Act 1982 (c. 46, SIF 43:5), s. 21, **Sch. 3 para. 13(3)**  
Ss. 126-128 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

**F54** 127 .....

**Annotations:**

**Amendments (Textual)**

**F54** Ss. 126-128 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

**F55** 128 .....

**Annotations:**

**Amendments (Textual)**

**F55** Ss. 126-128 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

**129 Short title, commencement and extent.**

- (1) This Act may be cited as the Employment Protection Act 1975.
- (2) ..... **F56**
- (3) The other provisions of this Act shall come into operation on such day as the Secretary of State may by order appoint, and different days may be so appointed for different purposes.
- (4) Any reference in this Act to the commencement of any provision of this Act shall be construed as a reference to the day appointed under this section for the coming into operation of that provision.
- (5) **F57** . . . an order under this section may contain such transitional provision or savings as appear to the Lord Chancellor or, as the case may be, the Secretary of State to be necessary or expedient in connection with the provisions of this Act which are thereby brought (wholly or in part) into operation, including such adaptations of those provisions then in force as appear to the Lord Chancellor or, as the case may be, the Secretary of State to be necessary or expedient in consequence of their partial operation (whether before, on or after the day appointed by the order).
- (6) . . . any provision of this Act which amends or repeals any provision of the <sup>M7</sup>House of Commons Disqualification Act 1975 or the <sup>M8</sup>Northern Ireland Assembly

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Disqualification Act 1975 shall extend to Northern Ireland, but except as aforesaid this Act shall not extend there.

**Annotations:**

**Amendments (Textual)**

- F56** Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11, 13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), [Sch. 17](#)
- F57** Words in s. 129(5)(6) repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch. 1](#).

**Modifications etc. (not altering text)**

- C9** Power of appointment conferred by s. 129(3) fully exercised
- C10** “The other provisions” means ss. 87, 88 and Sch. 6

**Marginal Citations**

- M7** 1975 c. 24.
- M8** 1975 c. 25.

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## SCHEDULES

F58

### SCHEDULE 1

**Annotations:**

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**Amendments (Textual)**

**F58** Sch. 1 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

### PART I

#### CONSTITUTION ETC. OF ADVISORY, CONCILIATION AND ARBITRATION SERVICE AND ITS COUNCIL

##### *The Council*

F59<sub>1</sub> .....

**Annotations:**

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**Amendments (Textual)**

**F59** Sch. 1 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

F60<sub>2</sub> .....

**Annotations:**

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**Amendments (Textual)**

**F60** Sch. 1 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

F61<sub>3</sub> .....

**Annotations:**

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**Amendments (Textual)**

**F61** Sch. 1 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

F62<sub>4</sub> .....

*Changes to legislation:* There are outstanding changes not yet made by the legislation.gov.uk editorial team to Employment Protection Act 1975. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

**Annotations:**

**Amendments (Textual)**

**F62** Sch. 1 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

F63 5 .....

**Annotations:**

**Amendments (Textual)**

**F63** Sch. 1 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

*Staff*

F64 6 .....

**Annotations:**

**Amendments (Textual)**

**F64** Sch. 1 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

F65 7 .....

**Annotations:**

**Amendments (Textual)**

**F65** Sch. 1 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

F66 8 .....

**Annotations:**

**Amendments (Textual)**

**F66** Sch. 1 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

*Supplemental*

F67 9 .....

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**Annotations:**

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**Amendments (Textual)**

**F67** Sch. 1 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F68**<sub>10</sub> .....

**Annotations:**

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**Amendments (Textual)**

**F68** Sch. 1 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F69**<sub>11</sub> .....

**Annotations:**

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**Amendments (Textual)**

**F69** Sch. 1 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F70**<sub>12</sub> .....

**Annotations:**

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**Amendments (Textual)**

**F70** Sch. 1 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F71**<sub>13</sub> .....

**Annotations:**

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**Amendments (Textual)**

**F71** Sch. 1 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F72**<sub>14</sub> .....

**PART II**

CENTRAL ARBITRATION COMMITTEE

*Constitution*

*Changes to legislation:* There are outstanding changes not yet made by the legislation.gov.uk editorial team to Employment Protection Act 1975. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

**Annotations:**

**Amendments (Textual)**

**F72** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

**F73** 15 .....

**Annotations:**

**Amendments (Textual)**

**F73** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

**F74** 16 .....

**Annotations:**

**Amendments (Textual)**

**F74** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

*Proceedings*

**F75** 17 .....

**Annotations:**

**Amendments (Textual)**

**F75** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

**F76** 18 .....

**Annotations:**

**Amendments (Textual)**

**F76** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

**F77** 19 .....

**Annotations:**

**Amendments (Textual)**

**F77** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

**F78** 20 .....

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**Annotations:**

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**Amendments (Textual)**

**F78** Sch. 1 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F79**21 .....

**Annotations:**

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**Amendments (Textual)**

**F79** Sch. 1 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F80**22 .....

*Awards*

**Annotations:**

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**Amendments (Textual)**

**F80** Sch. 1 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F81**23 .....

**Annotations:**

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**Amendments (Textual)**

**F81** Sch. 1 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F82**24 .....

**Annotations:**

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**Amendments (Textual)**

**F82** Sch. 1 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F83**25 .....

*Supplemental*

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**Annotations:**

**Amendments (Textual)**

**F83** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

**F84**26 .....

**Annotations:**

**Amendments (Textual)**

**F84** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

**F85**27 .....

**Annotations:**

**Amendments (Textual)**

**F85** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

**PART III**

SUPPLEMENTARY PROVISIONS

*Remuneration and allowances*

**F86**28 .....

**Annotations:**

**Amendments (Textual)**

**F86** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

**F87**29 .....

**Annotations:**

**Amendments (Textual)**

**F87** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

*Sums payable on retirement*

**F88**30 .....

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**Annotations:**

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**Amendments (Textual)**

**F88** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

**F89**31 .....

**Annotations:**

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**Amendments (Textual)**

**F89** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

**F90**32 .....

**Annotations:**

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**Amendments (Textual)**

**F90** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

*[<sup>F91</sup> Expenses of hearings before the Certification Officer]*

**Annotations:**

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**Amendments (Textual)**

**F91** Sch. 1 Pt. III para. 32A inserted by Employment Act 1988 (c. 19, SIF 43:5), s. 22(3)

**F92**32A .....

**Annotations:**

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**Amendments (Textual)**

**F92** Sch. 1 para. 32A inserted by Employment Act 1988 (c. 19, SIF 43:5), s. 22(3).  
Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

*Expenses*

**F93**33 .....

**Annotations:**

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**Amendments (Textual)**

**F93** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

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### Accounts

F94 34 .....

**Annotations:**

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**Amendments (Textual)**

**F94** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

F95 35 .....

**Annotations:**

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**Amendments (Textual)**

**F95** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

F96

### SCHEDULES 2—6

**Annotations:**

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**Amendments (Textual)**

**F96** Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11, 13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), **Sch. 17**

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F97

### SCHEDULES 7—8

**Annotations:**

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**Amendments (Textual)**

**F97** Ss. 89–96, Schs. 7, 8, Sch. 17 para. 11 repealed by Wages Councils Act 1979 (c. 12), Schs 5, 7

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## SCHEDULE 9

Section 97.

### M<sup>9</sup> AMENDMENTS OF AGRICULTURAL WAGES ACT 1948

#### Annotations:

#### Marginal Citations

M9 1948 c. 47.

## PART I

### SECTION 3, AS SUBSTITUTED

#### Annotations:

#### Modifications etc. (not altering text)

**C11** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

*Power of Agricultural Wages Board to fix wages, holidays and other terms and conditions.*

- 3 (1) Subject to and in accordance with the provisions of this section, the Board shall have power, for each county for which an agricultural wages committee is established under this Act, to make an order in accordance with the provisions of Schedule 4 to this Act—
- (a) fixing minimum rates of wages ;
  - (b) directing holidays to be allowed ;
  - (c) fixing any other terms and conditions of employment ;
- for workers employed in agriculture.
- (2) The power of the Board to make an order under subsection (1)(a) of this section fixing minimum rates of wages is a power to make an order—
- (a) fixing minimum rates for time work ;
  - (b) fixing minimum rates for piece work ;
  - (c) fixing minimum rates for time work, to apply in the case of workers employed on piece work, for the purpose of securing to such workers a minimum rate of remuneration on a time work basis ; or
  - (d) fixing separate minimum rates by way of pay in respect of holidays:

Provided that the minimum time rate for piece work shall not in any case be higher than the minimum rate which, if the work were time work, would be applicable thereto by virtue of paragraph (a) of this subsection.

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- (2A) it shall be the duty of the Board to make an order under this section fixing such minimum rates of wages for time work as are referred to in paragraph (a) of the last preceding subsection.
- (3) An order under paragraph (b) of subsection (1) of this section directing that a worker shall be allowed a holiday—
- (a) shall not be made unless both minimum rates of wages in respect of the period of the holiday and minimum rates of wages otherwise than in respect of holiday have been or are being fixed under this section for that worker ;
  - (b) shall provide for the duration of the holiday being related to the duration of the period for which the worker has been employed or engaged to be employed by the employer who is to allow the holiday ; and
  - (c) subject as aforesaid, may make provision as to the times at which or the periods within which, and the circumstances in which, the holiday shall be allowed.
- (3A) An order under this section fixing separate minimum rates of wages in respect of holidays may make provision—
- (a) with respect to the times at which, and the conditions subject to which, those wages shall accrue and shall become payable, and
  - (b) for securing that any such wages which have accrued to a worker during his employment by any employer shall, in the event of his ceasing to be employed by that employer before he becomes entitled to the allowed a holiday by him, nevertheless become payable by the employer to the worker.
- (4) any such minimum rates of wages as are mentioned in subsection (2) of this section may be fixed so as to vary according as the employment is for a day, week, month or other period, or according to the number of working hours, or the conditions of the employment, or so as to provide for a differential rate in the case of employment defined by the Board as being overtime employment, whether that employment is remunerated on a time work or a piece work basis.
- In the exercise of their powers under this subsection, the Board shall, so far as is reasonably practicable, secure a weekly half-holiday for workers.
- (5) An order under this section shall have effect as regards any terms as to remuneration from a date specified in the order, which may be a date earlier than the date of the order but not earlier than the date on which the Board agreed on those terms prior to publishing (in accordance with Schedule 4 to this Act) the original proposals to which effect is given, with or without modifications, by the order.
- (6) Any increase of wages payable by virtue of an order under this section in respect of any time before the date of the order (hereafter in this Act referred to as arrears of wages) shall be paid by the employer within a period specified in the order being—
- (a) in the case of a worker who is in the employment of the employer on that date, a period beginning with that date ;
  - (b) in the case of a worker who is no longer in the employment of the employer on that date a period beginning with that date or the date on which the employer receives from the worker or person acting on his behalf a request in writing for those wages, whichever is the later.
- (7) Nothing in this section shall be construed as preventing the Board fixing a minimum rate of wages so as to secure that Workers employed in agriculture

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receive remuneration calculated by reference to periods during the currency of their employment.

## PART II

### MINOR AND CONSEQUENTIAL AMENDMENTS

- 1 In section 4(1) (enforcement) after paragraph (c) there shall be inserted the words “or  
(d) to pay to any such worker arrears of wages within the period specified in the order”;  
and accordingly references in the provisions of that section following that paragraph and in any other provisions of the Agricultural Wages Act 1948 to wages or to the payment of wages at a rate not less than the minimum rate or the minimum rate applicable shall include references to arrears of wages or their payment, as the case may require.
- 2 (1) In section 5 (permits to incapacitated persons) after subsection (2) insert the following subsection:—  
“(2A) If on an application in that behalf an agricultural wages committee are satisfied that a worker employed or desiring to be employed in their county is so affected by any physical injury or mental deficiency, or any infirmity due to age or any other cause, as to make it inappropriate for any terms and conditions of employment (other than those with respect to wages and holidays) fixed by an order under this Act to apply to him, the committee shall grant him, subject to any conditions they may determine, a permit dispensing, as from the date of the application or a later date specified in the permit, with a term or condition specified in the order, and while the permit is in force and any conditions to which the permit is subject are complied with, the terms and conditions fixed by the order shall be deemed to be observed.”  
(2) In section 5(3) (revocation of permit) after the words “subsection (1)” in both places where they occur insert the words “or (2A)”.  
(3) In section 5(4) (variation of condition of permit) at the end insert the words “and, in the case of a variation caused by a change made by an order under this Act in the minimum rates of wages, that variation shall take effect from a date specified in the direction, not being earlier than the date of the change”.  
(4) After section 5(4) insert the following subsection:—  
“(4A) Any increase of wages payable by virtue of a variation of a permit under subsection (4) of this section in respect of any time before the date of the variation shall be paid by the employer within a period specified in the order being—  
(a) in the case of a worker who is in the employment of the employer on the date on which notice of the variation is given in accordance with subsection (5) of this section, a period beginning with that date ;  
(b) in the case of a worker who is no longer in the employment of the employer on the date referred to in the last preceding paragraph, a period beginning with that date or the date on which the employer receive from the worker or a person acting on his behalf a request in writing for those wages, whichever is the later”.

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Employment Protection Act 1975. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

**Annotations:**

**Modifications etc. (not altering text)**

**C12** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 3 (1) In section 11(1) (void agreements) at the end add the following paragraph:—
- “(c) any term or condition of a contract of employment that is inconsistent with a term or condition of employment fixed by an order of the Board under this Act or any agreement for abstaining from enforcing a term or condition so fixed”.
- (2) In section 11(2) (saving for more favourable agreements), at end add the words “or a term or condition of a contract of employment that is not consistent with a term or condition so fixed”.

**Annotations:**

**Modifications etc. (not altering text)**

**C13** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 4 (1) In section 12(3)(a) (inspection of records), at the end add the words “and records of terms and conditions of employment of such workers”.
- (2) In section 12(5) omit the words from “ and in any such civil proceedings” onwards, and at the end of that subsection insert the following subsections:—
- “(5A) Where it appears to an officer so appointed that a term or condition of employment fixed by order of the Board is not being complied with by an employer, the officer (if he is authorised as aforesaid) may institute, on behalf or in the name of the worker, civil proceedings in respect of the failure to comply with the term or condition.
- (5B) In any civil proceedings instituted by an officer by virtue of this section the court shall, if the officer is not a party to the proceedings, have the same power to make an order for the payment of costs by the officer as if he were a party to the proceedings.”
- (3) In section 12, for subsection (6) (saving for ordinary right to bring proceedings) substitute the following subsection:—
- “(6) Nothing in subsection (5) or (5A) of this section shall be taken to exclude the bringing otherwise than in accordance with either of those subsections of proceedings of any description mentioned in those subsections.”

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**Annotations:**

**Modifications etc. (not altering text)**

**C14** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 5 The provisions specified in column 1 of the following Table (which create offences) shall each have effect as if the maximum fine which may be imposed on summary conviction of any offence specified in that provision were a fine not exceeding the amount specified in column 3 of that Table instead of a fine not exceeding the amount specified in column 2 of that Table.

**Annotations:**

**Amendments (Textual)**

**F98** Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46**

- 6 In paragraph 6 of Schedule 4 (power to vary and revoke orders) omit the words from the beginning to “holidays”.

**Annotations:**

**Modifications etc. (not altering text)**

**C15** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

SCHEDULE 10

Section 97.

<sup>M10</sup> AMENDMENTS OF AGRICULTURAL WAGES (SCOTLAND) ACT 1949

**Annotations:**

**Marginal Citations**

**M10** [1949 c. 30.](#)

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*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Employment Protection Act 1975. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

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## PART 1

### SECTION 3, AS SUBSTITUTED

#### Annotations:

#### Modifications etc. (not altering text)

**C16** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### *Power of Scottish Agricultural Wages Board to fix rates of wages and holidays.*

- 3 (1) Subject to and in accordance with the provisions of this section, the Board shall have power to make an order in accordance with the provisions of Schedule 3 to this Act—
- (a) fixing minimum rates of wages ;
  - (b) directing holidays to be allowed ;
  - (c) fixing any other terms and conditions of employment
- for workers employed in agriculture.
- (2) The power of the Board to make an order under subsection (1)(a) of this section fixing minimum rates of wages is a power to make an order—
- (a) fixing minimum rates for time work ;
  - (b) fixing minimum rates for piece work ;
  - (c) fixing minimum rates for time work, to apply in the case of workers employed on piece work, for the purpose of securing to such workers a minimum rate of remuneration on a time work basis ; or
  - (d) fixing separate minimum rates by way of pay in respect of holidays:
- Provided that the minimum time rate for piece-work shall not in any case be higher than the minimum rate which, if the work were time work, would be applicable thereto by virtue of paragraph (a) of this subsection.
- (2A) It shall be the duty of the Board to make an order under this section fixing such minimum rates of wages for time work as are referred to in paragraph (a) of the last preceding subsection.
- (3) An order under paragraph (b) of subsection (1) of this section directing that a worker shall be allowed a holiday—
- (a) shall not be made unless both minimum rates of wages in respect of the period of the holiday and minimum rates of wages otherwise than in respect of the holiday have been or are being fixed under this section for that worker ;
  - (b) shall provide for the duration of the holiday being related to the duration of the period for which the worker has been employed or engaged to be employed by the employer who is to allow the holiday ; and
  - (c) subject as aforesaid, may make provisions as to the times at which or the periods within which, and the circumstances in which, the holiday shall be allowed.

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- (3A) An order under this section fixing separate minimum rates of wages in respect of holiday may make provision—
- (a) with respect to the times at which, and the conditions subject to which, those wages shall accrue and shall become payable, and
  - (b) for securing that any such wages which have accrued to a worker during his employment by any employer shall, in the event of his ceasing to be employed by that employer before he becomes entitled to be allowed a holiday by him, nevertheless become payable by the employer to the worker.
- (4) Any such minimum rates of wages as are mentioned in subsection(2) of this section may be fixed so as to vary according as the employment is for a day, week, month or other period, or according to the number of working hours, or the conditions of the employment or so as to provide for a differential rate in the case of employment defined by the Board as being overtime employment, whether that employment is remunerated on a time work or a piece work basis.
- In the exercise of their powers under this subsection, the Board shall, so far as is reasonably practicable, secure a weekly half-holiday for workers.
- (5) An order under this section shall have effect as regards any terms as to remuneration from a date specified in the order, which may be a date earlier than the date of the order but not earlier than the date on which the Board agreed on those terms prior to publishing (in accordance with Schedule 3 to this Act) the original proposals to which effect is given, with or without modifications, by the order.
- (6) Any increase of wages payable by virtue of an order under this section in respect of any time before the date of the order (hereafter in this Act referred to as arrears of wages) shall be paid by the employer within a period specified in the order being—
- (a) in the case of a worker who is in the employment of the employer on that date, a period beginning with that date;
  - (b) in the case of a worker who is no longer in the employment of the employer on that date a period beginning with that date or the date on which the employer receives from the worker or a person acting on his behalf a request in writing for those wages, whichever is the later.
- (7) Nothing in this section shall be construed as preventing the Board fixing a minimum rate of wages so as to secure that workers employed in agriculture receive remuneration calculated by reference to periods during the currency of their employment.

## PART II

### MINOR AND CONSEQUENTIAL AMENDMENTS

- 1 In section 4(1) (enforcement), after paragraph (c) there shall be inserted the words “or
- (d) to pay to any such worker arrears of wages within the period specified in the order;”
- and accordingly references in the provisions of that section following that paragraph and in any other provisions of the <sup>M11</sup>Agricultural Wages (Scotland) Act 1949 to wages or to the payment of wages at a rate not less than the minimum rate or

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the minimum rate applicable shall include references to arrears of wages or their payment, as the case may require.

**Annotations:**

**Marginal Citations**

**M11** 1949 c. 30.

- 2 (1) In section 5 (permits to infirm and incapacitated persons), after subsection (2) there shall be inserted the following subsection:—
- “(2A) If on application in that behalf the Secretary of State is satisfied that a worker employed or desiring to be employed is so affected by any physical injury or mental deficiency, or any infirmity due to age or any other cause, as to make it inappropriate for any terms and conditions of employment (other than those with respect to wages and holidays) fixed by an order under this Act to apply to him, the Secretary of State shall grant him, subject to any conditions he may determine, a permit dispensing, as from the date of the application or a later date specified in the permit, with a term or condition specified in the order, and while the permit is in force and any conditions to which the permit is subject are complied with, the terms and conditions fixed by the order shall be deemed to be observed.”
- (2) In section 5(3) (revocation of permit), after the words “subsection (1)”, in both places where they occur, there shall be inserted the words “or (2A)”.
- (3) In section 5(4) (variation of condition of permit),
- (a) after the words “subsection (1)” there shall be inserted the words “or (2A)”;
  - (b) at the end there shall be inserted the words “and, in the case of variation caused by a change made by an order under this Act in the minimum rates of wages, that variation shall take effect from a date specified in the direction, not being earlier than the date of the change”.
- (4) In section 5(4A), after the words “subsection (1)” there shall be the words inserted “or (2A)”.
- (5) After section 5(4A) there shall be inserted the following subsection:—
- “(4B) Any increase of wages payable by virtue of a variation of a permit under subsection (4) of this section in respect of any time before the date of the variation shall be paid by the employer within a period specified in the order being—
- (a) in the case of a worker who is in the employment of the employer on the date on which notice of the variation is given in accordance with subsection (5) of this section a period beginning with that date;
  - (b) in the case of a worker who is no longer in the employment of the employer on the date referred to in the last preceding paragraph, a period beginning with that date or the date on which the employer receives from the worker or a person acting on his behalf a request in writing for those wages, whichever is the later”.

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**Annotations:**

**Modifications etc. (not altering text)**

**C17** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 3 (1) In section 11(1) (void agreements), at end there shall be added the following paragraph:—

“(c) any term or condition of a contract of employment that is inconsistent with a term or condition of employment fixed by an order of the Board under this Act or any agreement for abstaining from enforcing a term or condition so fixed”.

- (2) In section 11(2) (saving for more favourable agreements), at end there shall be added the words “or a term or condition of a contract of employment that is not inconsistent with a term or condition so fixed”.

**Annotations:**

**Modifications etc. (not altering text)**

**C18** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 4 (1) In section 12(3)(a) (inspection of records), at the end there shall be added the words “and records of terms and conditions of employment of such workers”.

- (2) In section 12(4), the words from “and in any such civil proceedings” onwards shall be omitted and at the end of that subsection there shall be inserted the following subsections:—

“(4A) Where it appears to the Secretary of State that a term or condition of employment fixed by order of the Board is not being complied with by an employer, the Secretary of State may institute, on behalf or in the name of the worker, civil proceedings in respect of the failure to comply with the term or condition.

(4B) In any civil proceedings instituted by the Secretary of State by virtue of this section the court shall, if the Secretary of State is not a party to the proceedings, have the same power to make an order for the payment of expenses by the Secretary of State as if he were a party to the proceedings.”.

- (3) In section 12, for subsection (5) (saving for ordinary right to bring proceedings) substitute the following subsection:— “Nothing in subsection (4) or (4A) of this section shall be taken to exclude the bringing otherwise than in accordance with

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either of those subsections proceedings of any description mentioned in those subsections”.

**Annotations:**

**Modifications etc. (not altering text)**

**C19** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1)(2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1)(2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 5 The provisions specified in column 1 of the following Table (which create offences) shall each have effect as if the maximum fine which may be imposed on summary conviction of any offence specified in that provision were a fine not exceeding the amount specified in column 3 of that Table instead of a fine not exceeding the amount specified in column 2 of that Table.

**Annotations:**

**Amendments (Textual)**

**F99** Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c.21, SIF 39:1\)](#), **ss. 289F, 289G**

- 6 In paragraph 6 of Schedule 3 (power to vary and revoke orders), the words from the beginning to “holidays” shall be omitted.

**Annotations:**

**Modifications etc. (not altering text)**

**C20** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1)(2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1)(2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

F100

SCHEDULE 11

**Annotations:**

**Amendments (Textual)**

**F100** [Ss. 11–16, 98, Sch. 11](#) repealed with saving by [Employment Act 1980 \(c. 42\)](#), **Sch. 2** and [S.I. 1980/1170, art. 4, Sch. 3](#)

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F101  
SCHEDULE 12

**Annotations:**

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**Amendments (Textual)**

**F101** Sch. 12 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**PART I**

**GENERAL**

*Introductory*

F102<sub>1</sub> .....

**Annotations:**

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**Amendments (Textual)**

**F102** Sch. 12 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

*Institution or continuance of tribunal proceedings*

F103<sub>2</sub> .....

**Annotations:**

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**Amendments (Textual)**

**F103** Sch. 12 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

F104<sub>3</sub> .....

**Annotations:**

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**Amendments (Textual)**

**F104** Sch. 12 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

F105<sub>4</sub> .....

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**Annotations:****Amendments (Textual)**

**F105** Sch. 12 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

*Rights and liabilities accruing after death*

**F106**<sub>5</sub> .....

**Annotations:****Amendments (Textual)**

**F106** Sch. 12 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**F107**<sub>6</sub> .....

**Annotations:****Amendments (Textual)**

**F107** Sch. 12 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

*Death during protected period*

**F108**<sub>7</sub> .....

**Annotations:****Amendments (Textual)**

**F108** Sch. 12 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

**PART II**

8—12. .... **F109**

**Annotations:****Amendments (Textual)**

**F109** Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11, 13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), [Sch. 17](#)

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SCHEDULE 13

Section 114.

AMENDMENTS OF THE <sup>M12</sup>EMPLOYMENT AGENCIES ACT 1973

**Annotations:**

**Marginal Citations**

M12 1973 c.35

F110<sub>1</sub> .....

**Annotations:**

**Amendments (Textual)**

F110 Sch. 13 para. 1 repealed (3.1.1995) by 1994 c. 40, s. 81, Sch. 17; S.I. 1994/3188, arts. 2, 3(n)(s)

F111<sub>2</sub> .....

**Annotations:**

**Amendments (Textual)**

F111 Sch. 13 para. 2 repealed (3.1.1995) by 1994 c. 40, s. 81, Sch. 17; S.I. 1994/3188, arts. 2, 3(n)(s)

F112<sub>3</sub> .....

**Annotations:**

**Amendments (Textual)**

F112 Sch. 13 para. 3 repealed (3.1.1995) by 1994 c. 40, s. 81, Sch. 17; S.I. 1994/3188, arts. 2, 3(n)(s)

F113<sub>4</sub> .....

**Annotations:**

**Amendments (Textual)**

F113 Sch. 13 para. 4 repealed (3.1.1995) by 1994 c. 40, s. 81, Sch. 17; S.I. 1994/3188, arts. 2, 3(n)(s)

5 Section 8 is hereby repealed.

**Annotations:**

**Modifications etc. (not altering text)**

C21 The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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6 (1) In section 9(1) for the words “of a licensing authority by them in that behalf” substitute the words “duly authorised in that behalf by the Secretary of State”.

(2)

(3) In section 9(4)(a) sub-paragraph (ii) and (iii) are hereby repealed, sub-paragraphs (iv) and (v) shall be renumbered as, respectively, sub-paragraphs (ii) and (iv), and after the renumbered sub-paragraph (ii) there shall be inserted the following sub-paragraph—

“(iii) by the Secretary of State, or an officer or servant appointed by, or persons exercising functions on behalf of, the Secretary of State to the person carrying on or proposing to carry on the employment agency or employment business concerned, to any person in his employment or, in the case of information relating to a person availing himself of the services of such an agency or business, to that person; or”,

F114 . . .

**Annotations:**

**Amendments (Textual)**

**F114** Words in [Sch. 13 para. 6\(3\)](#) repealed (3.1.1995) by [1994 c. 40, s. 81, Sch. 17](#); [S.I. 1994/3188, arts. 2, 3\(n\)\(s\)](#)

**Modifications etc. (not altering text)**

**C22** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

7 In section 13(1), the definition of “licensing authority” is hereby repealed.

**Annotations:**

**Modifications etc. (not altering text)**

**C23** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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## SCHEDULE 14

Section 115.

### AMENDMENTS OF THE <sup>M13</sup>EMPLOYMENT AND TRAINING ACT 1973

**Annotations:**

**Marginal Citations**

**M13** 1973 c.50

1 ..... **F115**

**Annotations:**

**Amendments (Textual)**

**F115** Sch. 14 para. 1, 4, 5 repealed by Employment Act 1989 (c. 38, SIF 43:1), s. 29(4), **Sch. 7 Pt. I**

2 (1) ..... **F116**

(2) ..... **F117**

**Annotations:**

**Amendments (Textual)**

**F116** Sch. 14 para. 2(1) repealed by Employment Act 1988 (c. 19, SIF 43:5), s. 33(2), **Sch. 4**

**F117** Sch. 14 para. 2(2)–(5) repealed by Employment Subsidies Act 1978 (c. 6), s. 3(7)(b)

3 After section 13(1) insert the following subsection:—

“(1A) Any reference in this Act to redundancy shall be construed as a reference in the existence of one or other of the facts specified in section 1(2)(a) and (b) of the Redundancy Payments Act 1965”.

**Annotations:**

**Modifications etc. (not altering text)**

**C24** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

4, 5. .... **F118**

**Annotations:**

**Amendments (Textual)**

**F118** Sch. 14 para. 1, 4, 5 repealed by Employment Act 1989 (c. 38, SIF 43:1), s. 29(4), **Sch. 7 Pt. I**

6 The following provisions and passages are hereby repealed:—

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Section 7.

In section 13(1), in the definition of “employee” the words “, except in Schedule, 1” and in the definition of “employment” the words “, except in section 7 and Schedule 1,”.

Section 13(5).

In section 15(3), the references to paragraphs 5 and 13 of Schedule 3.

In Schedule 1, in paragraph 10(1) the words from “and any” to the end, paragraphs 10(2), 11, 12 and 16.

In Schedule 3, paragraphs 5 and 13.

**Annotations:**

**Modifications etc. (not altering text)**

**C25** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

SCHEDULE 15

Section 116

AMENDMENTS OF THE <sup>M14</sup> HEALTH AND SAFETY AT WORK ETC. ACT 1974

**Annotations:**

**Marginal Citations**

**M14** [1974 c.37](#)

1 In section 1(2) omit the words “and agricultural health and safety regulations”.

**Annotations:**

**Modifications etc. (not altering text)**

**C26** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

2 In section 2, omit subsection (5) and in subsection (7) for the words “subsections (4) and (5)” substitute the words “subsection (4)”.

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**Annotations:**

**Modifications etc. (not altering text)**

**C27** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

3 After section 10(7) insert the following subsection:—

“(8) For the purposes of any civil proceedings arising out of those functions, the Crown Proceedings Act 1947 and the Crown Suits (Scotland) Act 1857 shall apply to the Commission and the Executive as if they were governments departments within the meaning of the said Act of 1947 or, as the case may be, public departments within the meaning of the said Act of 1857”.

**Annotations:**

**Modifications etc. (not altering text)**

**C28** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

4 In section 11, in subsection (1) omit the words “except as regards matters relating exclusively to agricultural operations”, and in subsection (2) omit the words “except as aforesaid”.

**Annotations:**

**Modifications etc. (not altering text)**

**C29** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

5 In section 14(2), omit the words from “but shall not do so” to “agricultural operations”.

**Annotations:**

**Modifications etc. (not altering text)**

**C30** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1)

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(2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

6 In section 15, for subsection (1) substitute—

“(1) Subject to the provisions of section 50, the Secretary of State, the Minister of Agriculture, Fisheries and Food or the Secretary of State and that Minister acting jointly shall have power to make regulations under this section for any of the general purposes of this part (and regulations so made are in this Part referred to as “health and safety regulations”).”.

**Annotations:**

**Modifications etc. (not altering text)**

**C31** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

7 In section 16(1), omit the words “and except as regards matters relating exclusively to agricultural operations”.

**Annotations:**

**Modifications etc. (not altering text)**

**C32** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

8 In section 18, in subsection (3) omit the words “or agricultural health and safety regulations”, and in subsection (5) omit the words “the appropriate Agriculture Minister”.

**Annotations:**

**Modifications etc. (not altering text)**

**C33** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

9 In section 28, after subsection (8) insert the following subsection—

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“(9) Notwithstanding anything in subsection (7) above, a person who has obtained such information as is referred to in that subsection may furnish to a person who appears to him to be likely to be a party to any civil proceedings arising out of any accident, occurrence, situation or other matter, a written statement of relevant facts observed by him in the course of exercising any of the powers referred to in that subsection”.

**Annotations:**

**Modifications etc. (not altering text)**

**C34** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

10 Sections 29, 30, 31 and 32 are hereby repealed.

**Annotations:**

**Modifications etc. (not altering text)**

**C35** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

11 In section 33, in subsection (1)(c) omit the words “or agricultural health and safety regulations”, and in subsection (4)(a) omit the words “or the appropriate Agriculture Minister”.

**Annotations:**

**Modifications etc. (not altering text)**

**C36** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

12 In section 43, in subsection (3) omit the words “the Minister of Agriculture, Fisheries and Food” and for subsections (6) and (7) substitute—

“(6) The power to make regulations under this section shall be exercisable by the Secretary of State, the Minister of Agriculture, Fisheries and Food or the Secretary of State and that Minister acting jointly”.

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**Annotations:**

**Modifications etc. (not altering text)**

**C37** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 13 In section 44, in subsection (1) omit the words “agricultural licences and”, and in subsection (7)(a) for the words “an agricultural licence or nuclear or nuclear site licence” substitute the words “a nuclear site licence”.

**Annotations:**

**Modifications etc. (not altering text)**

**C38** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 14 In section 47, in subsection (2) omit the words “or agricultural health and safety regulations”, in subsection (3) omit the words “or, as the case may be, agricultural health and safety regulations” and in subsection (5) omit the words “or, as the case may be, agricultural health and safety regulations”.

**Annotations:**

**Modifications etc. (not altering text)**

**C39** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 15 (1) In section 49, in subsection (1) for the words “The appropriate Minister may by regulations amend”, substitute the words “Regulations made under this subsection may amend”, in subsection (2) for the words “appropriate Minister” substitute the words “authority making the regulations”, in subsection (3) omit the words “by the appropriate Minister” and for the words “if the appropriate Minister” substitute the words “if the authority making the regulations”.

- (2) For subsection (4) of that section substitute—

“(4) The power to make regulations under this section shall be exercisable by the Secretary of State, the Minister of Agriculture, Fisheries and Food or the Secretary of State and that Minister acting jointly”.

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**Annotations:**

**Modifications etc. (not altering text)**

**C40** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

16 (1) In section 50, for subsection (1) substitute—

“(1) Where any power to make regulations under any of the relevant statutory provisions is exercisable by the Secretary of State, the Minister of Agriculture, Fisheries and Food or both of them acting jointly that power may be exercised either so as to give effect (with or without modifications) to proposals submitted by the Commission under section 11(2)(d) or independently of any such proposals; but the authority who is to exercise the power shall not exercise it independently of proposals from the Commission unless he has consulted the Commission and such other bodies as appear to him to be appropriate”.

(2) In subsection (2) of that section for the words from “Secretary of State” to “preceding subsection” substitute “authority who is to exercise any such power as is mentioned in subsection(1) above proposes to exercise that power”.

(3) In subsection (3), for the words “to the Secretary of State” substitute the words “under section 11(2)(d)”.

(4) Subsection (4) and (5) are hereby repealed.

**Annotations:**

**Modifications etc. (not altering text)**

**C41** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

17 In section 52, for subsections (3) and (4) substitute—

“(3) The power to make regulations under subsection (2) above shall be exercisable by the Secretary of State, the Minister of Agriculture, Fisheries and Food or the Secretary of State and that Minister acting jointly”.

**Annotations:**

**Modifications etc. (not altering text)**

**C42** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1)

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(2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 18 (1) In section 53, in subsection (1) omit the definitions of “agriculture”, “the agriculture Ministers”, “agriculture health and safety regulations”, “agricultural licence”, “agricultural operation”, “the appropriate Agriculture Minister”, “forestry”, “livestock”, and “the relevant agricultural purposes” and in the definition of “the relevant statutory provisions” omit the words “and agriculture health and safety regulations”.

(2) Subsections (2) to (6) of that section are hereby repealed.

**Annotations:**

**Modifications etc. (not altering text)**

**C43** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 19 In section 80, for subsections (4) to (6) substitute—

“(4) The power to make regulations under subsection (1) above shall be exercisable by the Secretary of State, the Minister of Agriculture, Fisheries and Food or the Secretary of State and that Minister acting jointly; but the authority who is to exercise the power shall, before exercising it, consult such bodies as appear to him to be appropriate.

(5) In this section “the relevant statutory provisions” has the same meaning as in Part I.”.

- 20 In section 84(1)(a), omit the words “or 30”.

**Annotations:**

**Modifications etc. (not altering text)**

**C44** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 21 Schedule 4 is hereby repealed.

**Annotations:**

**Modifications etc. (not altering text)**

**C45** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1)

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(2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1)(2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

SCHEDULE 16

Section 125

MINOR AND CONSEQUENTIAL AMENDMENTS

PARTS I, II. . . . .

F119

**Annotations:**

**Amendments (Textual)**

**F119** Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11 ,13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), **Sch. 17**

F120

**PART III**

**Annotations:**

**Amendments (Textual)**

**F120** Sch. 16 Pt. III repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, **Sch.1**.

F121<sub>1</sub> . . . . .

**Annotations:**

**Amendments (Textual)**

**F121** Sch. 16 Pt. III repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, **Sch.1**.

F122<sub>2</sub> . . . . .

**Annotations:**

**Amendments (Textual)**

**F122** Sch. 16 Pt. III repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, **Sch.1**.

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F123<sup>3</sup> .....

**Annotations:**

**Amendments (Textual)**

**F123** Sch. 16 Pt. III repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

4 ..... F124

**Annotations:**

**Amendments (Textual)**

**F124** Ss. 106(1), Sch. 16 Pt. III paras. 4, 17, Sch. 17 para. 13 repealed by Employment Act 1980 (c. 42), **Sch. 2**

F125<sup>5</sup> .....

**Annotations:**

**Amendments (Textual)**

**F125** Sch. 16 Pt. III repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

F126<sup>6</sup> .....

**Annotations:**

**Amendments (Textual)**

**F126** Sch. 16 Pt. III repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

F127<sup>7</sup> .....

**Annotations:**

**Amendments (Textual)**

**F127** Sch. 16 Pt. III repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

8 ..... F128

**Annotations:**

**Amendments (Textual)**

**F128** Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11, 13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), **Sch. 17**

9 ..... F129

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**Annotations:**

**Amendments (Textual)**

**F129** Sch. 16 Pt.III para. 9, 12 repealed by Education (Scotland) Act 1980 (c. 44), **Sch. 5**

10, 11. . . . . **F130**

**Annotations:**

**Amendments (Textual)**

**F130** Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11, 13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), **Sch. 17**

12 . . . . . **F131**

**Annotations:**

**Amendments (Textual)**

**F131** Sch. 16 Pt.III para. 9, 12 repealed by Education (Scotland) Act 1980 (c. 44), **Sch. 5**

13—16. . . . . **F132**

**Annotations:**

**Amendments (Textual)**

**F132** Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11, 13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), **Sch. 17**

17 . . . . . **F133**

**Annotations:**

**Amendments (Textual)**

**F133** Ss. 106(1), Sch. 16 Pt. III paras. 4, 17, Sch. 17 para. 13 repealed by Employment Act 1980 (c. 42), **Sch. 2**

18—30. . . . . **F134**

**Annotations:**

**Amendments (Textual)**

**F134** Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11, 13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), **Sch. 17**

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F135 31 .....

**Annotations:**

**Amendments (Textual)**

**F135** Sch. 16 Pt. III repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

F136 32 .....

**Annotations:**

**Amendments (Textual)**

**F136** Sch. 16 Pt. III repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

F137 33 .....

**Annotations:**

**Amendments (Textual)**

**F137** Sch. 16 Pt. III repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

34 ..... **F138**

**Annotations:**

**Amendments (Textual)**

**F138** Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11, 13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), **Sch. 17**

F139 35 .....

**Annotations:**

**Amendments (Textual)**

**F139** Sch. 16 Pt. III repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

## PART IV

### MISCELLANEOUS AMENDMENTS

1 ..... **F140**

*Changes to legislation:* There are outstanding changes not yet made by the legislation.gov.uk editorial team to Employment Protection Act 1975. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

**Annotations:**

**Amendments (Textual)**

**F140** S. 122(9), Sch.16 Pt. IV para. 1 repealed by [House of Commons \(Administration\) Act 1978 \(c. 36\)](#), **Sch. 3**

*Trade Union Act 1913 (2 & 3 Geo. 5 c. 30)*

F141<sub>2</sub> .....

**Annotations:**

**Amendments (Textual)**

**F141** Sch. 16 Pt. IV para. 2 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, **Sch.1**.

*Industrial Courts Act 1919 (c. 69)*

F142<sub>3</sub> .....

**Annotations:**

**Amendments (Textual)**

**F142** Sch. 16 Pt. IV para. 3 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, **Sch.1**.

*Road Haulage Wages Act 1938 (c. 44)*

- 4 (1) The Road Haulage Wages Act 1938 shall be amended in accordance with the following provisions of this paragraph.
- (2) In sections 4 and 5 for the word “Minister” substitute the word “Service” and in section 15(1) after the definition of “ Road haulage work” and “Road haulage worker” insert— “Service” means the Advisory, Conciliation and Arbitration Service.”.
- (3) In sections 4, 5 and 8 for the words “Industrial Court” and “Court” wherever they occur substitute respectively the words “Central Arbitration Committee” and “Committee”.
- (4) In section 4(6) for the words “the Industrial Courts Act, 1919” substitute the words “section 3 of the Employment Protection Act 1975”.
- (5) Section 5(5) is hereby repealed.

**Annotations:**

**Modifications etc. (not altering text)**

**C46** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form

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5 ..... F143

**Annotations:**

**Amendments (Textual)**

F143 Sch. 16 Pt. IV para. 5 repealed by [Civil Aviation Act 1980 \(c. 60, SIF 9\)](#), **Sch. 3 Pt. I**

*Public Records Act 1958(c.51)*

6 In Part 11 of the Table at the end of paragraph 3(2) of Schedule I to the Public Records Act 1958 insert at the appropriate place in alphabetical order the following entry—

“Commission on Industrial Relations.”

**Annotations:**

**Modifications etc. (not altering text)**

C47 The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

*Road Traffic Act 1960 (c. 16)*

F1447 .....

**Annotations:**

**Amendments (Textual)**

F144 Sch. 16 Pt. IV para. 7 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, **Sch. 1**.

8 ..... F145

**Annotations:**

**Amendments (Textual)**

F145 Sch. 16 Pt. IV para. 8 repealed by [Films Act 1985 \(c. 21, SIF 45A\)](#), s. 7(1), **Sch. 2**

*Education (Scotland) Act 1962 (c. 47)*

9 (1) The Education (Scotland) Act 1962 shall be amended in accordance with the following provisions of this paragraph.

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- (2) In section 85, subsection (3) and, in subsection (5), the word “(3)” are hereby repealed.
- (3) In section 123(2), in the proviso, the words from “and”, where secondly occurring, to the end are hereby repealed.
- (4) After section 123(2), insert the following subsection—
  - (2A) In any scheme for any endowment, any provision which applies subsection (3) of section 85 of this Act to any certificated or registered teacher in the employment of the governing body of that endowment, or which has, in relation to such a teacher, the like effect as such a provision, shall cease to have effect.”.

**Annotations:**

**Modifications etc. (not altering text)**

**C48** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

*Trade Union (Amalgamations, etc.) Act 1964 (c. 24)*

F146<sup>10</sup> .....

**Annotations:**

**Amendments (Textual)**

**F146** Sch. 16 Pt. IV para. 10 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

*Remuneration of Teachers Act 1965 (c. 3)*

- [<sup>F147</sup>11 (1) The Remuneration of Teachers Act 1965 shall be amended in accordance with the following provisions of this paragraph.
- (2) In section 3(3) for the words “Minister of Labour” substitute the words “Advisory, Conciliation and Arbitration Service”; and references in any arrangements made by the Secretary of State under section 3(1) to the Minister of Labour shall be construed as references to the Service.
  - (3) In section 3(3), the words from “and, where arbitrators” to the end, and section 6(d) are hereby repealed.]

**Annotations:**

**Amendments (Textual)**

**F147** Sch. 16 Pt. IV para. 11 repealed (E.W.) by [Teachers' Pay and Conditions Act 1987 \(c. 1\)](#), s. 8(2), [Sch. 2](#)

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**Modifications etc. (not altering text)**

**C49** The text of Sch. 16 Pt. IV paras. 11, 13(2)(3), 16 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

*Remuneration of Teachers (Scotland) Act 1967 (c. 36)*

- 12 (1) The Remuneration of Teachers (Scotland) Act 1967 shall be amended in accordance with the following provisions of this paragraph.
- (2) In section 3(3) for the words “Minister of Labour” substitute the words “Advisory, Conciliation and Arbitration Service”; and references in any arrangements made by the Secretary of State under section 3(1) to the Minister of Labour shall be construed as references to the Service.
- (3) In section 3(3), the words from “and, where arbiters” to the end, and section 7(c) are hereby repealed.

**Annotations:**

**Modifications etc. (not altering text)**

**C50** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

*Equal Pay Act 1970 (c. 41)*

F148 13 .....

**Annotations:**

**Amendments (Textual)**

**F148** Sch. 16 Pt. IV para. 13 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch. 1](#).

14 ..... F149

**Annotations:**

**Amendments (Textual)**

**F149** Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I, II, Pt. III paras. 8, 10, 11, 13–16, 18–30, 34, Pt. IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), [Sch. 17](#)

15 ..... F150

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**Annotations:**

**Amendments (Textual)**

**F150** Sch. 16 Pt. IV para. 15 repealed by [Broadcasting Act 1981 \(c. 68, SIF 96\)](#), s. 65(4), [Sch. 9](#)

*House of Commons Disqualification Act 1975 (c. 24)*

**F151** 16 .....

**Annotations:**

**Amendments (Textual)**

**F151** Sch. 16 Pt. IV para. 16 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch.1](#).

*Social Security Pensions Act 1975 (c. 60)*

17 After section 31(8) of the Social Security Pensions Act 1975 there shall be inserted the following subsection:—

“(9) A trade union shall be treated as recognised for the purpose of this section not only if it is recognised for the purpose of collective bargaining, but also if the Advisory Conciliation and Arbitration Service has made a recommendation for recognition under the Employment Protection Act 1975 and that recommendation is operative within the meaning of section 15 of that Act.”.

**Annotations:**

**Modifications etc. (not altering text)**

**C51** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

*Sex Discrimination Act 1975 (c. 65)*

18 (1) The Sex Discrimination Act 1975 shall be amended in accordance with the following provisions of this paragraph.

**F152** (2) .....

(3) In the Equal Pay Act 1970 as set out in Part II of Schedule I to the Sex Discrimination Act 1975 there shall be made the same amendments as are made to the former Act by paragraph 13 of this Part of this Schedule.

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**Annotations:**

**Amendments (Textual)**

**F152** Sch. 16 Pt. IV para. 18(2) repealed (22.11.1993) by S.I. 1993/2798, art. 1(3), **Sch. para.1.**

SCHEDULE 17

Section 125

TRANSITIONAL PROVISIONS

**F153**<sub>1</sub> .....

**Annotations:**

**Amendments (Textual)**

**F153** Sch. 17 paras. 1-6 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1.**

**F154**<sub>2</sub> .....

**Annotations:**

**Amendments (Textual)**

**F154** Sch. 17 paras. 1-6 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1.**

**F155**<sub>3</sub> .....

**Annotations:**

**Amendments (Textual)**

**F155** Sch. 17 paras. 1-6 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1.**

**F156**<sub>4</sub> .....

**Annotations:**

**Amendments (Textual)**

**F156** Sch. 17 paras. 1-6 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1.**

**F157**<sub>5</sub> .....

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**Annotations:**

**Amendments (Textual)**

**F157** Sch. 17 paras. 1-6 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

**F158** 6 .....

**Annotations:**

**Amendments (Textual)**

**F158** Sch. 17 paras. 1-6 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**.

7—10. .... **F159**

**Annotations:**

**Amendments (Textual)**

**F159** Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11, 13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), **Sch. 17**

11 .....

**Annotations:**

**Amendments (Textual)**

**F160** Ss. 89–96, Schs. 7, 8, Sch. 17 para. 11 repealed by Wages Councils Act 1979 (c. 12), Schs 5, 7

12 An order under . . . <sup>F161</sup> section 3 of the <sup>M15</sup> Agricultural Wages Act 1948 or section 3 of the <sup>M16</sup> Agricultural Wages (Scotland) Act 1949 (as substituted, in each case, by this Act) which may have effect as from a date earlier than the date of the order, shall not have effect from a date earlier than the commencement of the provision of this Act effecting that substitution.

**Annotations:**

**Amendments (Textual)**

**F161** Words repealed by Wages Councils Act 1979 (c. 12), Schs. 5, 7

**Marginal Citations**

**M15** 1948 c. 47.  
**M16** 1949 c. 30.

13 .....

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**Annotations:****Amendments (Textual)**

**F162** Ss. 106(1), Sch. 16 Pt. III paras. 4, 17, Sch. 17 para. 13 repealed by [Employment Act 1980 \(c. 42\)](#), **Sch. 2**

- 14 Where any provision of this Act increases the penalty for an offence under any other enactment, that increase shall not have effect in relation to an offence committed before the commencement of the relevant provision.
- 15 The repeals effected by section 111 above—
- (a) in the case of subsection (1) of that section, shall not confer or affect any right to unemployment benefit in respect of any day before the commencement of that subsection, and
  - (b) in the case of subsection (2) of that section, shall not affect the manner in which any person's requirements or resources are to be ascertained in relation to any period beginning before the commencement of that subsection.
- 16, 17. .... **F163**

**Annotations:****Amendments (Textual)**

**F163** Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I, II, Pt. III paras. 8, 10, 11, 13–16, 18–30, 34, Pt. IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), **Sch. 17**

- 18 Any enactment or document which refers, whether specifically or by means of a general description, to an enactment which is replaced or amended by any provision of this Act, shall, except so far as the context otherwise requires, be construed as referring or as including a reference, to that provision.
- 19 Nothing in this Schedule shall be construed as prejudicing [<sup>F164</sup>sections 16(1) and 17(2)(a) of the <sup>M17</sup>Interpretation Act 1978] (effect of repeals).

**Annotations:****Amendments (Textual)**

**F164** Words substituted by virtue of [Interpretation Act 1978 \(c. 30\)](#), **s. 25(2)**

**Marginal Citations**

**M17** 1978 c. 30.

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SCHEDULE 18

Section 125.

ENACTMENTS REPEALED

**Annotations:**

**Modifications etc. (not altering text)**

- C52** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.
- C53** Sch. 18: repeals to the [Trade Union Act 1913 \(c. 30\)](#) extended (N.I.) (1.7.1992) by [S.I. 1992/807 \(N.I. 5\)](#), [art. 67\(2\)](#); [S.R. 1992/212](#), [art. 2\(3\)](#).

SCHEDULE 18  
 ENACTMENTS REPEALED

Chapter	Short Title	Extent of repeal
1896 c. 30.	The Conciliation Act 1896.	The whole Act.
2 & 3 Geo. 5. c. 30.	The Trade Union Act 1913.	In section 3(2), the words from "shall be binding" to "re-tractable by injunction, and" and the words "injunction" shall be substituted for "injunction".
1919 c. 69.	The Industrial Courts Act 1919.	Part I. In section 4(1), the words "whether or not the dispute is reported to him under Part I of this Act", In section 7, the words "of the Industrial Arbitration Board" and " In section 9, the words "before the Industrial Arbitration Board, before an arbitrator or". Sections 11 and 12. Section 5(3).
1938 c. 44.	The Road Haulage Wages Act 1938.	Section 5(3).

Chapter	Short Title	Extent of Repeal
1948 c. 67.	The Agricultural Wages Act 1948.	In section 12(5), the words from "and in any such civil proceedings" onwards. In Schedule 4, in paragraph 6, the words from the beginning to "holidays".
1949 c. 30.	The Agricultural Wages (Scotland) Act 1949.	In section 12(4), the words from "and in any such civil proceedings" onwards. In Schedule 3, in paragraph 6, the words from the beginning to "holidays".
1949 c. 93.	The National Health Service (Amendment) Act 1949.	Section 13.
1958 c. 51.	The Public Records Act 1958.	In Schedule 1, in Part II of the Table at the end of paragraph 3, the entries relating to the Employment Service Agency, the Manpower Services Commission and the Training Services Agency.
1959 c. 26.	The Terms and Conditions of Employment Act 1959.	The whole Act, so far as unrepealed.
1959 c. 69.	The Wages Councils Act 1959.	Section 9(1). In section 23, the words "a commission of inquiry". In section 24, the definitions of "wages regulation order" and "wages regulation proposals". Schedule 4.
1960 c. 37.	The Payment of Wages Act 1960.	Section 2(4) to (8). In section 4(2), the words from "and, at or before" to the end. In section 4(3), the words from "and, at or before" to the end. Section 7(1).
1962 c. 47.	The Education (Scotland) Act 1962.	In section 85, subsection (3) and in subsection (5) the word "(3)". In section 123(2), in the proviso, the words from "and" to "where security occurring, to the end."
1964 c. 24.	The Trade Union (Amalgamations, etc.) Act 1964.	In section 7(1)(c), the words "or by any assistant registrar". In section 9, the definitions of "assistant registrar" and "Registrar".
1965 c. 3.	The Remuneration of Teachers Act 1965.	In section 3(3), the words from "and, where arbitrators" to the end. Section 5(3).

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Chapter	Short Title	Extent of Repeal
1965 c. 62.	The Redundancy Payments Act 1965.	In section 5(2) the words "(calculated in accordance with Schedule 2 to this Act)". Schedule 2. In Schedule 4, paragraphs 6 and 12. In Schedule 5, in paragraph 1 the words from "and paragraph 5" onwards; and paragraph 11.
1966 c. 20.	The Supplementary Benefit Act 1966.	In section 10(2), in paragraph (a), the words "or financing" and the word "and" and paragraph (b).
1967 c. 36.	The Remuneration of Teachers (Scotland) Act 1967.	In section 3(3), the words from "and, where arbiters" to the end.
1968 c. 73. 1970 c. 41. 1972 c. 11.	The Transport Act 1968. The Equal Pay Act 1970. The Superannuation Act 1972.	Section 7(c). Section 35(3)(g).
1973 c. 35.	The Employment Agencies Act 1973.	In Schedule 1, the entries relating to the Manpower Services Commission, the Employment Service Agency and the Training Services Agency. Section 2(4). In section 2(5), the words "under the subsequent provisions of this Act". Section 8. In section 9(4)(a), sub-paragraphs (i) and (ii). In section 13(1), the definition of "licensing authority".
1973 c. 38.	The Social Security Act 1973.	In Schedule 27, paragraph 54.
1973 c. 50.	The Employment and Training Act 1973.	Section 7. In section 13(1) in the definition of "employee" the words "except in Schedule 1"; and in the definition of "employment" the words "except in section 7 and Schedule 1". Section 13(5). In section 15(3), the words "5" and "13". In Schedule 1, in paragraph 10(1) the words from "and any" to the end, and paragraphs 10(2), 11, 12 and 16. In Schedule 3, paragraphs 5 and 13.
1974 c. 37.	The Health and Safety at Work etc. Act 1974.	In section 1(2) the words "and agricultural health and safety regulations". Section 2(5).

Chapter	Short Title	Extent of Repeal
1974 c. 37— cont.	The Health and Safety at Work etc. Act 1974— cont.	In section 11, in subsection (1), the words "except as regards matters relating exclusively to agricultural operations"; and in subsection (2), the words "except as aforesaid". In section 14(2), the words from "but shall not do so" to "agricultural operations". In section 16(1), the words "and, except as regards agricultural operations". In section 18, in subsection (3), the words "or agricultural health and safety regulations"; and in subsection (5), the words "the appropriate Agriculture Minister". Sections 28, 29, 31 and 32. In section 33, in subsection (1)(c), the words "or agricultural health and safety regulations"; and in subsection (4)(a), the words "or the appropriate Agriculture Minister". In section 43(3), the words "the Minister of Agriculture, Fisheries and Food". In section 44(1), the words "agricultural licence and". In section 47, in subsection (2), the words "or agricultural health and safety regulations". In subsection (3), the words "as the case may be, agricultural health and safety regulations"; and in subsection (5), the words "or, as the case may be, agricultural health and safety regulations". In section 49(3), the words "by the appropriate Minister". Section 50(4) and (5). In section 53(3), the definition of "agriculture"; "the Agriculture Ministers"; "agricultural health and safety regulations"; "agricultural licence"; "agricultural operation"; "the appropriate Agriculture Minister"; "ferry"; "livestock"; and "the relevant agricultural purpose"; and in the definition

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Chapter	Short Title	Extent of Repeal
1974 c. 37— cont.	The Health and Safety at Work etc. Act 1974— cont.	of "the relevant statutory provisions", the words "and agricultural health and safety regulations"; Section 33(2) to (6). In section 84(1)(a), the words "or 30"; Schedule 4.
1974 c. 29.	The Consumer Credit Act 1974.	In section 16(3)(b) the words "or (c)";
1974 c. 52.	The Trade Union and Labour Relations Act 1974.	In section 8(1), the words in brackets; Section 8(5); In section 8(10), the words from "and that the organisation" to the end; In section 30(1), the definition of "Registrar"; In Schedule 1, Part 1; in paragraph 5(3), the words "obligatory" and "in writing"; paragraph 5(4); in paragraph 9(1), paragraphs (e), (f) and (j) and in paragraph (b) the words "or a close relative"; paragraph 9(4); in paragraph 17(1), words from "or by a person" onwards; paragraphs 17(2) and (3), 19 and 20(1); in paragraph 24(3)(a) the words "his engagement"; and paragraph 29. In Schedule 3, paragraphs 2(6), 3, 8, 8(4), (6) and (7), 10(4), and (6) and 15.
1975 c. 14.	The Social Security Act 1975.	In section 19(1), in paragraph (a), the words "or financing" and the word "and", and paragraph (9).
1975 c. 18.	The Social Security (Consequential Provisions) Act 1975.	In Schedule 2, in paragraph 19 the words "17(3) and (4A) and", and paragraph 20.
1975 c. 24.	The House of Commons Disqualification Act 1975.	In Part II of Schedule 1, the entry relating to the Industrial Arbitration Board. In Part III of Schedule 1, in the entry relating to members of Wages Councils and other persons appointed under the Wages Councils Act 1959, the words "or a member of a Commission of Inquiry appointed under paragraph 1(a) of Schedule 4 to that Act".

Chapter	Short Title	Extent of Repeal
1975 c. 25.	The Northern Ireland Assembly Disqualification Act 1975.	In Part II of Schedule 1, the entry relating to the Industrial Arbitration Board. In Part III of Schedule 1, in the entry relating to members of Wages Councils and other persons appointed under the Wages Councils Act 1959, the words "or a member of a Commission of Inquiry appointed under paragraph 1(a) of Schedule 4 to that Act".
1975 c. 65.	The Sex Discrimination Act 1975.	In section 82(1), the definition of "conciliation officer"; In Schedule 1, paragraph 4.

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 111(1) repealed by 2004 c. 14 Sch. 1 Pt. 8
- s. 124(5) words repealed by 2004 c. 14 Sch. 1 Pt. 8
- Sch. 10 Pt. 2 para. 2 repealed by S.S.I. 2004/384 Sch.
- Sch. 13 para. 5 repealed by 2004 c. 14 Sch. 1 Pt. 8
- Sch. 13 para. 7 repealed by 2004 c. 14 Sch. 1 Pt. 8
- Sch. 14 para. 6 repealed by 2004 c. 14 Sch. 1 Pt. 8
- Sch. 15 para. 1 repealed by 2004 c. 14 Sch. 1 Pt. 8
- Sch. 15 para. 4 repealed by 2004 c. 14 Sch. 1 Pt. 8
- Sch. 15 para. 5 repealed by 2004 c. 14 Sch. 1 Pt. 8
- Sch. 15 para. 7 repealed by 2004 c. 14 Sch. 1 Pt. 8
- Sch. 15 para. 8 repealed by 2004 c. 14 Sch. 1 Pt. 8
- Sch. 15 para. 10 repealed by 2004 c. 14 Sch. 1 Pt. 8
- Sch. 15 para. 11 repealed by 2004 c. 14 Sch. 1 Pt. 8
- Sch. 15 para. 14 repealed by 2004 c. 14 Sch. 1 Pt. 8
- Sch. 15 para. 16(4) repealed by 2004 c. 14 Sch. 1 Pt. 8
- Sch. 15 para. 18 repealed by 2004 c. 14 Sch. 1 Pt. 8
- Sch. 15 para. 20 repealed by 2004 c. 14 Sch. 1 Pt. 8
- Sch. 15 para. 21 repealed by 2004 c. 14 Sch. 1 Pt. 8