

*Status: Point in time view as at 16/10/1992.*

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## SCHEDULES

### SCHEDULE 3

#### MINOR AND CONSEQUENTIAL AMENDMENTS

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

- C1** The text of Sch. 3(1)–(7)(9) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### PART II

#### CONSEQUENTIAL AMENDMENTS

##### *Courts Act 1919 (c.69)*

**F1**<sup>10</sup> .....

##### Textual Amendments

- F1** Sch. 3 paras. 10-13 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch. 1](#) (with s. 300(3), Sch. 3 para. 2).

##### *Administration of Justice (Scotland) Act 1972 (c.59)*

**F2**<sup>11</sup> .....

##### Textual Amendments

- F2** Sch. 3 paras. 10-13 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch. 1](#) (with s. 300(3), Sch. 3 para. 2).

##### *Trade Union and Labour Relations Act 1974 (c.52)*

**F3**<sup>12</sup> .....

##### Textual Amendments

- F3** Sch. 3 paras. 10-13 repealed (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#), ss. 300(1), 302, [Sch. 1](#) (with s. 300(3), Sch. 3 para. 2).

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*Employment Protection Act 1975 (c.71)*

F4 13 .....

**Textual Amendments**  
F4 Sch. 3 paras. 10-13 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1 (with s. 300(3), Sch. 3 para. 2).

*Aircraft and Shipbuilding Industries Act 1977 (c.3)*

14 In section 6 of the Aircraft and Shipbuilding Industries Act 1977 (duty of Corporations to take steps to establish and maintain machinery for, amongst other things, the resolution of trade disputes), in subsection (2)(b) (in which “trade dispute” is defined by reference to the 1974 Act), for the words “within the meaning of the Trade Union and Labour Relations Act 1974” there shall be substituted the words “ within the meaning of the Employment Protection Act 1975 ”.

*Employment Protection (Consolidation) Act 1978 (c.44)*

15 In section 13(1) of the 1978 Act (exclusion of right to guarantee payment if lack of work due to trade dispute), for the words “trade dispute” there shall be substituted the words “strike, lockout or other industrial action”.

16 ..... F5

**Textual Amendments**  
F5 Sch. 3 para. 16 repealed by Employment Act 1988 (c. 19, SIF 43:5), s. 33(2), Sch. 4

F6 17 .....

**Textual Amendments**  
F6 Sch. 3 paras. 17-20 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1 (with s. 300(3), Sch. 3 para. 2).

F7 18 .....

**Textual Amendments**  
F7 Sch. 3 paras. 17-20 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1 (with s. 300(3), Sch. 3 para. 2).

F8 19 .....

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**Textual Amendments**

**F8** Sch. 3 paras. 17-20 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch. 1** (with s. 300(3), Sch. 3 para. 2).

<sup>F9</sup>20 .....

**Textual Amendments**

**F9** Sch. 3 paras. 17-20 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1** (with s. 300(3), Sch. 3 para. 2).

21 In section 68(2) of the 1978 Act (compensation for unfair dismissal), for the words “sections 72 to 74” there shall be substituted the words “sections 72 to 76”.

22 In section 71(2)(a) and (5) of the 1978 Act (compensation after section 69 order), for the words “sections 72 to 74” there shall be substituted in each case the words “sections 72 to 76”.

23 In section 74(3) of the 1978 Act (calculation of compensatory award), for the words “section 73(7) or (9)” there shall be substituted the words “section 73(7A) to (9)”.

<sup>F10</sup>24 .....

**Textual Amendments**

**F10** Sch. 3 para. 24 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1** (with s. 300(3), Sch. 3 para. 2).

25 In section 149(2) of the 1978 Act (general power to amend the Act) for the word “75” there shall be substituted the words “73(4B), 75, 75A(7)”.

26 In section 153(1) of the 1978 Act (interpretation) in the definition of “effective date of termination” for the words “and (5)” there shall be substituted the words “to (6)”.

27 (1) Schedule 2 to the 1978 Act (supplementary provisions relating to maternity) shall be amended as follows.

(2) In paragraph 2(4)—

<sup>F11</sup>(a) .....

(b) ..... <sup>F12</sup>

(3) In paragraph 6(3)—

<sup>F11</sup>(a) .....

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(b) ..... F12

**Textual Amendments**

**F11** Sch. 3 para. 27(2)(a)(3)(a) repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1 (with s. 300(3), Sch. 3 para. 2).

**F12** Sch. 3 para. 27(2)(b)(3)(b) repealed by Dock Work Act 1989 (c. 13, SIF 43:1), s. 7(1), Sch. 1 Pt. I

28 In Schedule 12 to the 1978 Act (death of employee or employer) for paragraph 9 there there shall be substituted—

“9 Where—

- (a) the employee’s contract of employment has been terminated ; and
- (b) by virtue of subsection (5) of (6) of section 55 a date later than the effective date of termination as defined in subsection (4) of that section is to be treated as the effective date of termination for the purposes of certain of the unfair dismissal provisions ; and
- (c) before that later date the employer or the employee dies ;

subsection (5) or, as the case may be, (6) shall have effect as if the notice referred to in that section as required by section 49 would have expired on the date of the death.”.

29 In paragraph 11(1) of Schedule 13 to the 1978 Act (deemed continuity of employment where a later date is treated as the effective date of termination) after the words “55(5)” there shall be inserted the words “or, as the case may be, (6)”.

30 (1) Schedule 14 to the 1978 Act (calculation of normal working hours and a week’s pay) shall be amended as follows.

(2) In paragraph 7(1) (the calculation date)—

- (a) in paragraph (h), after the words “55(5)” there shall be inserted the words “or, as the case may be, (6)” ; and
- (b) in paragraph (i), for the words “section 55(5) does not apply” there shall be substituted the words “neither subsection (5) nor subsection (6) of section 55 applies”.

(3) In paragraph 8(3) (maximum amount of week’s pay for certain purposes) after the words “55(5)” there shall be inserted the words “or, as the case may be, (6)”.

*Crown Agents Act 1979 (c.43)*

31 In paragraph 15 of Schedule 1 to the Crown Agents Act 1979 (duty of Crown Agents to take steps to establish and maintain machinery for, amongst other things, the resolution of trade disputes), in sub-paragraph (2)(b) (in which “trade dispute” is

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defined by reference to the 1974 Act) for the words “within the meaning of the <sup>M1</sup> Trade Union and Labour Relations Act 1974” there shall be substituted the words “within the meaning of the <sup>M2</sup>Employment Protection Act 1975”.

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**Marginal Citations**

**M1** 1974 c. 52.

**M2** 1975 c. 71.

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