
 S T A T U T O R Y I N S T R U M E N T S

1984 No. 1889

COAL INDUSTRY

**The Redundant Mineworkers and Concessionary Coal
(Payments Schemes) (Amendment) Order 1984**
*Laid before the House of Commons in draft**Made - - - - - 27th November 1984**Coming into Operation 7th December 1984*

The Secretary of State, in exercise of the powers conferred on him by section 7(1) and (7) of the Coal Industry Act 1977(a), hereby makes the following Order, a draft of which has been laid before the Commons House of Parliament and has been approved by that House in accordance with section 7(7) of that Act:—

Citation and commencement

1. This Order may be cited as the Redundant Mineworkers and Concessionary Coal (Payments Schemes) (Amendment) Order 1984 and shall come into operation on 7th December 1984.

Interpretation

2. In this Order:—

“the 1983 Order” means the Redundant Mineworkers and Concessionary Coal (Payments Schemes) Order 1983(b); and

“the 1984 Order” means the Redundant Mineworkers and Concessionary Coal (Payments Schemes) Order 1984(c).

Amendment of 1983 and 1984 Orders

3. The 1983 and the 1984 Orders shall be varied in their Schedules as follows—

(a) In Article 5(2), for the words from “After each period” to “that sum” there shall be substituted the words—

“After each period of 52 weeks from the relevant date, the weekly sum payable to a coal industry employee under paragraph (1)”;

(a) 1977 c. 39; section 7(1) was amended by the Coal Industry Act 1980 (c. 50), section 7(1), and extended by section 7(2) of that Act and by the Coal Industry Act 1983 (c. 60), section 4(2).

(b) S.I. 1983/506, as amended by S.I. 1984/457.

(c) S.I. 1984/457.

(b) In Article 10, the word “or” shall be inserted at the end of sub-paragraph (2)(f) and after that sub-paragraph there shall be inserted the following sub-paragraph—

“(g) (except in the case of weekly payments under Article 9 above) the provisions of section 19(1) of the Social Security Act 1975(a),”;

(c) In Article 10(5), there shall be inserted in sub-paragraph (a) between “(e)” and “of that paragraph” the words “and (g)” and in sub-paragraph (b) between “(e)” and “of paragraph (2)” the words “and (g)”;

(d) In Article 10, after paragraph (5) there shall be inserted the following paragraph—

“(6) Notwithstanding the provisions of paragraph (2) above, the Secretary of State may, if he thinks fit, pay to any coal industry employee a lump sum not exceeding the total amount of weekly payments net of tax (except weekly benefits under Article 9 above) to which that employee would have been entitled under this Scheme before the coming into operation of this paragraph, but for the provisions of section 19(1) of the Social Security Act 1975.”

Amendment of 1984 Order

4. The 1984 Order shall be varied in the Schedule as follows—

In Article 1, for the definition of “coking plant operator” there shall be substituted the words—

“ “coking plant operator” means a person carrying on in Great Britain a business which consists wholly or mainly of the production in coke ovens of coke by high temperature carbonisation of coal;”.

David Hunt,
Parliamentary Under Secretary of State,
Department of Energy.

27th November 1984.

(a) 1975 c. 14; section 19(1) was amended by the Employment Protection Act 1975 (c. 71), Schedule 18.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order makes changes in the Redundant Mineworkers Payments Schemes scheduled to the Redundant Mineworkers and Concessionary Coal (Payments Schemes) Order 1983 and the Redundant Mineworkers and Concessionary Coal (Payments Schemes) Order 1984. The 1983 Scheme provides for benefits for certain employees in the coal and coke industry made redundant between 6th April 1983 and 31st March 1984 and the 1984 Scheme makes provisions for those employees made redundant between 1st April 1984 and 28th March 1986.

A further sub-paragraph, (g), has been added to Article 10(2) of the Schedule to both Orders enabling weekly benefits under the Schemes (except unemployment benefit equivalent under Article 9) to be paid to employees becoming redundant during a trade dispute at their place of employment who would otherwise not be entitled to such benefits by reason of section 19(1) of the Social Security Act 1975 (which disqualifies from receipt of unemployment benefit a person who has lost employment because of a trade dispute at his place of work).

A new paragraph, (6), has been added to Article 10 in both Schedules enabling the Secretary of State to compensate employees for loss of weekly benefits (other than unemployment benefit equivalent) before the coming into operation of this Order by reason of section 19(1) of the 1975 Act.

Consequential provision is also made with regard to the up-rating of benefits for inflation.

Finally, the meaning of "coking plant operator" in the 1984 Scheme is clarified.

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