

1989 No. 532

TERMS AND CONDITIONS OF EMPLOYMENT

**The Redundancy Payments (Local Government)
(Modification) (Amendment) Order 1989**

Made - - - - 21st March 1989

Coming into force 1st April 1989

Whereas a draft of the following Order was laid before Parliament in accordance with section 149(4) of the Employment Protection (Consolidation) Act 1978(a) (“the 1978 Act”) and approved by resolution of each House of Parliament:

Now, therefore, the Secretary of State in exercise of the powers conferred on him by section 149(1)(b) and section 154(3) and (4) of the 1978 Act and of all other powers enabling him in that behalf hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Redundancy Payments (Local Government) (Modification) (Amendment) Order 1989 and shall come into force on 1st April 1989.

(2) In this Order the “principal Order” means the Redundancy Payments (Local Government) (Modification) Order 1983(b).

Amendments to the principal Order

2. The principal Order shall be amended as follows:—

(a) In article 1(2)(a) after the third reference to “the 1978 Act” add— “or, in relation to any person to whom this Order applies by reason of an amendment contained in the Redundancy Payments (Local Government) (Modification) (Amendment) Order 1989, any event occurring on or after the coming into force of that Order on the happening of which an employee may become entitled to a redundancy payment in accordance with the provisions of the 1978 Act”.

(b) In article 4(3) after “paragraph (4)” delete “and (5)” and substitute “(5) and (6)”.

(c) After article 4(5) add—

“(6) Where a period of employment of a person to whom this Order applies by reason of an amendment contained in the Redundancy Payments (Local Government) (Modification) (Amendment) Order 1989 falls to be computed in accordance with the provisions of the 1978 Act as modified by this Order, the provisions of this Order shall have effect in relation to any period whether falling wholly or partly before or after the coming into force of that Order”.

(d) In Schedule 1 after entry 71 there shall be added—

“72. A school maintained under Chapter IV of Part I of the Education Reform Act 1988(c) (grant maintained schools).

(a) 1978 c.44.

(b) S.I. 1983/1160, amended by S.I. 1985/1872, 1988/907.

(c) 1988 c.40.

73. The Polytechnics and Colleges Funding Council as established by section 132 of the Education Reform Act 1988.

74. An institution falling within section 218(11) of the Education Reform Act 1988 (institutions within the Polytechnics and Colleges Funding Sector).

75. City Technology Colleges and City Colleges for the Technology of the Arts established with the agreement of the Secretary of State for Education and Science under section 105 of the Education Reform Act 1988.

76. Scottish Consultative Council on the Curriculum.

77. The Broads Authority, established under the Norfolk and Suffolk Broads Act 1988(a).

78. Countryside Commission for Scotland.”

Signed by order of the Secretary of State.

21st March 1989

Patrick Nicholls
Parliamentary Under Secretary of State,
Department of Employment

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order, which comes into force on 1st April 1989, amends the Redundancy Payments (Local Government) (Modification) Order 1983 as amended by the Redundancy Payments (Local Government) (Modification) (Amendment) Order 1985 and by the Redundancy Payments (Local Government) (Modification) (Amendment) Order 1988. Those Orders modified certain redundancy payments provisions of the Employment Protection (Consolidation) Act 1978 in their application to persons employed in relevant local government service so that their employment in the service is to be treated as if it were continuous for the purposes of those provisions. This Order adds to the list of employers to whose employees the 1983 Order as amended applies.

(a) 1988 c.4.

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