

*This Statutory Instrument has been made in consequence of a defect in S.I.1990/2378 and is being issued free of charge to all known recipients of that Statutory Instrument.*

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## STATUTORY INSTRUMENTS

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### 1991 No. 89 (C.2)

### TRADE UNIONS

#### The Employment Act 1990 (Commencement and Transitional Provisions) Amendment Order 1991

*Made* - - - - - *21st January 1991*

*Coming into force* - - - - - *21st January 1991*

The Secretary of State, in exercise of the powers conferred on him by section 18(4) of the Employment Act 1990(1), and of all other powers enabling him in that behalf, hereby makes the following Order:—

#### **Citation and interpretation**

1.—(1) This Order may be cited as the Employment Act 1990 (Commencement and Transitional Provisions) Amendment Order 1991.

(2) In this Order “the principal Order” means the Employment Act 1990 (Commencement and Transitional Provisions) Order 1990(2).

#### **Amendment of the principal Order**

2.—(1) In the principal Order article 4 (transitional provisions for sections 1(3) and 2(3) of the Employment Act 1990) shall be amended in accordance with the following provisions of this article.

(2) In paragraph (1) of the said article 4 for the words “paragraph (2)” there shall be substituted the words “paragraphs (2) and (3) below”.

(3) The following paragraph shall be inserted after paragraph (2) of the said article 4 –

“(3) In connection with any refusal of employment, or of any service of an employment agency, which takes place after 21 January 1991, paragraph (2) above shall have effect as if for the words “1st January 1990”, in both places where they occur, there were substituted the words “1st January 1991”.”

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(1) 1990 c. 38.

(2) S.I. 1990/2378.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Signed by order of the Secretary of State.

21st January 1991

*Eric Forth*  
Parliamentary Under Secretary of State,  
Department of Employment

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Employment Act 1990 (Commencement and Transitional Provisions) Order 1990. It extends the transitional provisions contained in article 4(2) of that Order, by altering a date in two places in that article in relation to the cases to which the extension applies.

The extension of the transitional provisions applies in connection with any refusal of employment or of a service of an employment agency taking place after 21 January 1991 (the date of this Order).

The effect of the extension is that section 1(3) or, as may be appropriate, 2(3) of the Employment Act 1990 will not apply in relation to an advertisement where it is contained in a book or periodical which is published after 31st December 1990 by a person other than the employer or, as the case may be, employment agency if –

- (a) the book or periodical was first published before 1st January 1991 (instead of 1st January 1990); or
- (b) the last date on which the publisher of the book or periodical would have entertained a request to alter the contents of the advertisement fell before 1st January 1991 (also instead of 1st January 1990).