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STATUTORY INSTRUMENTS

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**1996 No. 372**

**TERMS AND CONDITIONS OF EMPLOYMENT**

**The Redundancy Payments (Local Government)  
(Modification) (Amendment) Order 1996**

<i>Made</i>	- - - -	<i>21st February 1996</i>
<i>Laid before Parliament</i>		<i>22nd February 1996</i>
<i>Coming into force</i>	- -	<i>1st April 1996</i>

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 Employment Protection (Consolidation) Act 1978<sup>(1)</sup> (“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 1996 and shall come into force on 1st April 1996.

(2) In this Order the “principal Order” means the Redundancy Payments (Local Government) (Modification) Order 1983<sup>(2)</sup>.

**Amendments to the principal Order**

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

- (a) In Article 1(2)(a) after the tenth 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 1996, 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 “(9), (10), (11)” delete “and (12)” and substitute “, (12) and (13).”.
- (c) After Article 4(12) add—

“(13) 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)

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<sup>(1)</sup> 1978 c. 44.

<sup>(2)</sup> S.I. 1983/1160, amended by S.I. 1985/1872, 1988/907, 1989/532, 1990/826, 1990/1432, 1991/818, 1993/784, 1994/417, 1995/1157.

(Modification) (Amendment) Order 1996 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 delete—

- (i) “**60.** The National Advisory Body for Public Sector Higher Education.”
- (ii) “**72.** A school maintained under Chapter IV of Part 1 of the Education Reform Act 1988 (grant maintained schools).”
- (iii) “**73.** The Polytechnics and Colleges Funding Council as established by section 132 of the Education Reform Act 1988.”

(iv) In relation to the occurrence of a relevant event on or after 1st April 1993

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

(v) In relation to any employee who commenced employment with a Further Education Funding Council established by section 1 of the Further and Higher Education Act 1992<sup>(3)</sup> after the coming into force of this Order

“**92.** A Further Education Funding Council established by section 1 of the Further and Higher Education Act 1992.”

(vi) “**101.** Kent Careers and Guidance Service Limited.”

(e) In Schedule 1, after entry 114 add—

“**115.** In relation to the occurrence of a relevant event on or after 1st April 1993 higher education corporations established under section 121 or 122A of the Education Reform Act 1988<sup>(4)</sup> or in respect of which an Order has been made under section 122A of that Act.

**116.** In relation to the occurrence of a relevant event on or after 1st April 1993 the governing body of an institution designated under section 129 of the Education Reform Act 1988 or in the case of such an institution conducted by a company, that company.

**117.** A governing body of a grant-maintained school.

**118.** A governing body of a grant-maintained special school.

**119.** The Environment Agency.

**120.** Springfield Horseshoe Housing Management Cooperative Limited.

**121.** In relation to the occurrence of a relevant event on or after 23rd November 1995 a National Park authority established by order under section 63 of the Environment Act 1995<sup>(5)</sup> for a National Park in Wales.”.

(f) In the Appendix to Schedule 2 after entry 30 add—

“**31.** The National Advisory Body for Public Sector Higher Education.

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

**33.** An institution within the Polytechnics and Colleges Funding Sector, within the meaning of section 132(6) of the Education Reform Act 1988<sup>(6)</sup>.

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(3) 1992 c. 13.

(4) 1988 c. 40.

(5) 1995 c. 25.

(6) Section 132(6) was repealed with effect from 1st April 1993 by the Further and Higher Education Act 1992, section 93 and Schedule 8, paragraph 35.

34. A Further Education Funding Council established by section 1 of the Further and Higher Education Act 1992 but not if the employee left the employment of such a Council after the coming into force of this Order other than as a result of a relevant event.
35. The council of a county or district in Wales ceasing to exist after 31st March 1996.
36. Kent Careers and Guidance Service Limited.”.

Department of Trade and Industry  
21st February 1996

*John Taylor,*  
Parliamentary Under Secretary of State,

**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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## EXPLANATORY NOTE

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

This Order, which comes into force on 1st April 1996, amends the Redundancy Payments (Local Government) (Modification) Order 1983 as amended by the Redundancy Payments (Local Government) (Modification) (Amendment) Order 1985, the Redundancy Payments (Local Government) (Modification) (Amendment) Order 1988, the Redundancy Payments (Local Government) (Modification) (Amendment) Order 1989, the Redundancy Payments (Local Government) (Modification) (Amendment) Order 1990, the Education (Reorganisation in Inner London) (Redundancy Payments) (Amendment) Order 1990, the Redundancy Payments (Local Government) (Modification) (Amendment) Order 1991, the Redundancy Payments (Local Government) (Modification) (Amendment) Order 1993, the Redundancy Payments (Local Government) (Modification) (Amendment) Order 1994 and the Redundancy Payments (Local Government) (Modification) (Amendment) Order 1995. 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 deletes six employers from Schedule 1, adds seven employers to Schedule 1 and adds six employers to the Appendix to Schedule 2.