



Employment Act 1989

1989 CHAPTER 38

Removal of restrictions and other requirements relating to employment

10 Removal of restrictions relating to employment of young persons.

- (1) The following enactments, namely—
 - (a) the enactments listed in Part I of Schedule 3 (which impose prohibitions or requirements with respect to the hours of employment and holidays of young persons and with respect to related matters), and
 - (b) the enactments listed in Part II of that Schedule (which impose other prohibitions or requirements for, or in connection with, regulating the employment of young persons),shall cease to have effect.
- (2) The enactments mentioned in Part III of Schedule 3 shall have effect subject to the amendments there specified (which include amendments by virtue of which certain occupations, instead of being restricted to persons who are 16 or older, are restricted to persons over school-leaving age).
- (3) If the Secretary of State considers it appropriate to do so, he may by order—
 - (a) repeal or amend any statutory provision in consequence of subsection (1) or (2);
 - (b) repeal any statutory provision relating to the employment of persons, or any class of persons, who have not attained the age of 18 or (as the case may be) some specified lower age of not less than 16;
 - (c) amend any statutory provision falling within paragraph (b) and framed by reference to a specified age expressed as a number of years so that it is instead framed by reference to school-leaving age;
 - (d) repeal any statutory provision appearing to the Secretary of State to be unnecessary in view of any other such provision, being a provision relating to the employment of persons under school-leaving age.

Changes to legislation: There are currently no known outstanding effects for the Employment Act 1989, Section 10. (See end of Document for details)

- (4) Nothing in any order under subsection (3) (apart from a repeal effected by virtue of paragraph (d) of that subsection) shall affect any statutory provision relating to the employment of persons under school-leaving age.
- (5) Any reference in subsection (3)(d) or (4) to a statutory provision relating to the employment of persons under school-leaving age shall be construed, in relation to a statutory provision which relates to both—
- (a) the employment of such persons, and
 - (b) the employment of persons over that age,
- as a reference to so much of that provision as relates to the employment of persons under that age.
- (6) In this section—
- “school-leaving age means—
- (a) in relation to England and Wales, the upper limit of compulsory school age [^{F1}(construed in accordance with section 8 of the Education Act 1996)];
 - (b) in relation to Scotland, the upper limit of school age for the purposes of the ^{M1}Education (Scotland) Act 1980; and
 - (c) in relation to Northern Ireland, the upper limit of compulsory school age for the purposes of the ^{M2}Education and Libraries (Northern Ireland) Order 1986; and
- “statutory provision means a provision of an Act or of subordinate legislation (and references to the repeal of a statutory provision shall be construed accordingly).

Extent Information

E1 For extent of s. 10 see s. 30(5)(6)(b)

Textual Amendments

F1 Words in s. 10(6) substituted (1.9.1997) by 1996 c. 56, s. 582(1), **Sch. 37 Pt. II**, para. 139 (with ss. 1(4), 410, Sch. 39); S.I. 1997/1623, **art. 2(2)**

Marginal Citations

M1 1980 c. 44.

M2 S.I.1986/594 (N.I.3).

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