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STATUTORY INSTRUMENTS

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**1991 No. 196 (N.I. 2)**

**NORTHERN IRELAND**

**The Redundancy Fund (Abolition)  
(Northern Ireland) Order 1991**

<i>Made</i>	- - - -	<i>5th February 1991</i>
<i>Laid before Parliament</i>		<i>15th February 1991</i>
<i>Coming into operation on</i>		<i>28th March 1991</i>

At the Court at Buckingham Palace, the 5th day of February 1991

Present,

The Queen's Most Excellent Majesty in Council

Whereas this Order is only made for purposes corresponding to the purposes of section 13 of the Employment Act 1990:

Now, therefore, Her Majesty, in exercise of the powers conferred by paragraph 1 of Schedule 1 to the Northern Ireland Act 1974 (as modified by section 17 of the said Act of 1990) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

**Title and commencement**

1. This Order may be cited as the Redundancy Fund (Abolition) (Northern Ireland) Order 1991 and shall come into operation on 28th March 1991.

**Interpretation**

2. The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

**Abolition of Northern Ireland Redundancy Fund**

3.—(1) The assets and liabilities of the Northern Ireland Redundancy Fund shall become assets and liabilities of the Northern Ireland National Insurance Fund and the Northern Ireland Redundancy Fund shall cease to exist.

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(2) The Department of Economic Development shall prepare an account (in such form as the Department of Finance and Personnel may direct) showing the final state of the Northern Ireland Redundancy Fund, and shall send a copy of it to the Comptroller and Auditor General for Northern Ireland who shall examine, certify and report on the account and lay copies of it and of his report before the Assembly.

(3) References to the Northern Ireland Redundancy Fund in any statutory instrument (within the meaning of section 1(c) of the Interpretation Act (Northern Ireland) 1954) shall be construed as references to the Northern Ireland National Insurance Fund.

(4) Section 41 of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 ) (power to make repayments where contributions paid in respect of certain employees not entitled to redundancy payment) shall cease to have effect.

#### **Amendments and repeals**

4.—(1) The statutory provisions set out in Schedule 1 shall have effect subject to the amendments specified in that Schedule.

(2) The statutory provisions set out in Schedule 2 are hereby repealed to the extent specified in the third column of that Schedule.

*G. I. de Deney*  
Clerk of the Privy Council

## SCHEDULES

### SCHEDULE 1

Article 4(1).

#### AMENDMENTS

#### **The Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 (c. 19 (N.I.))**

In section 42 (redundancy: payments by Department to employee where employer fails to pay) in subsections (2) and (3) for “the fund” substitute “the Northern Ireland National Insurance Fund”.

In section 60 (expenses) in subsections (4) and (5) for “Redundancy Fund” substitute “National Insurance Fund”.

In section 62 (reciprocal arrangements with the Isle of Man) in subsection (2) for “Redundancy Fund” substitute “National Insurance Fund”.

#### **The Industrial Relations (Northern Ireland) Order 1976 (NI 16)**

In Articles 42(1), 43(1) and 45(4) (insolvency of employer: payments by Department to or in respect of employees) for “Redundancy Fund” substitute “National Insurance Fund”.

### SCHEDULE 2

Article 4(2).

#### REPEALS

Chapter or number	Short Title	Extent of Repeal
1965 c. 19 (N.I.).	The Contracts of Employment and Redundancy Payments Act(Northern Ireland) 1965.	Section 36.  Section 41. Section 45. Section 52(6).
1973 c. 38.	The Social Security Act 1973.	In Schedule 27, paragraphs 118 and 119.
1975 c. 15.	The Social Security (Northern Ireland) Act 1975.	In section 1(1)(b) the words “and into the Redundancy Fund”.  In section 120 the words “, or, where the Secretary of State’s order is made under section 122(4) of that Act,

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Chapter or number	Short Title	Extent of Repeal
		the Department of Manpower Services,”.
		In section 128—
		(a) in subsection (1), paragraph (b) and the word “and” preceding it;
		(b) in subsection (4), the definition of “appropriate employment protection allocation” and the word “and” preceding it;
		(c) in subsection (5), paragraph (b) and in paragraph (c) the words “and (b)”;
		(d) subsections (5A) to (5D).
		In section 155(5) the words “or the Department of Manpower Services”.
		in section 156(2)—
		(a) in paragraph (b) the words “section 128(5A), (5B) or (5C) (alteration of employment protection allocation)”;
		(b) in paragraph (c) the words “or the Department of Manpower Services”;
		(c) the words “or Department of Economic Development”.
		In Schedule 17, the definition of “appropriate employment protection allocation”.
1975 c. 18.	The Social Security (Consequential Provisions) Act 1975.	In Schedule 2, paragraph 85.
1976 NI 28.	The Industrial Relations (No. 2) (Northern Ireland) Order 1976.	Article 20(1), (3) and (4).  Article 60(2).  In Schedule 4, paragraph 3(3).
1981 NI 20.	The Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981.	Article 16.

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Chapter or number	Short Title	Extent of Repeal
1982 NI 4.	The Social Security (Contributions) (Northern Ireland) Order 1982.	Article 5(3).  In Schedule 1, paragraph 1(1).
1985 NI 16.	The Social Security (Northern Ireland) Order 1985.	In Schedule 5, in paragraph 4(a) the words “and “the appropriate employment protection allocation””.
1986 NI 18.	The Social Security (Northern Ireland) Order 1986.	Article 75(1) and (2).
1989 NI 13.	The Social Security (Northern Ireland) Order 1989.	In Article 3(2) the words “and (i)” and “and “appropriate employment protection allocation””.

#### EXPLANATORY NOTE

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

This Order, which is only made for purposes corresponding to the purposes of section 13 of the Employment Act 1990 (c. 38), merges the Northern Ireland Redundancy Fund with the Northern Ireland National Insurance Fund.