
Status: This is the original version (as it was originally enacted).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

SCHEDULES

SCHEDULE 9

Section 68(1).

TRANSITIONAL PROVISIONS

- 1 (1) Where a person enters the employment of the Authority on the appointed day and immediately before that day was occupied in employment to which this paragraph applies, then, for the purpose of ascertaining the length of the period of his employment for the purposes of sections 1 and 2 of the Contracts of Employment Act 1963, Schedule 1 to that Act shall have effect—
- (a) as if, in a case where he was so occupied otherwise than under a contract of service, employment of his to which this paragraph applies in which he was occupied otherwise than as aforesaid before the appointed day had been employment within the meaning of the said Act of 1963, and, while he was occupied therein, he had been an employee within the meaning of that Act, but as if for paragraph 4 of that Schedule there were substituted the following paragraph:—
- “4 Any week during the whole or part of which the terms of his employment normally involve employment for twenty-one hours or more weekly shall count in computing a period of employment”; and
- (b) as if, in any case, subject to the following sub-paragraph, the period, ending immediately before the appointed day, of employment of his to which this paragraph applies counted as a period of employment with the Authority (if, apart from this provision, it would not so count) and his transfer to employment with the Authority did not break the continuity of the period of employment (if, apart from this provision, the transfer would do so).
- (2) Where, before the appointed day, a person's employment to which this paragraph applies was terminated and a payment made to him in respect of the termination in accordance with the Superannuation Act 1965 or any enactment repealed by that Act, or under such arrangements as are mentioned in section 41(3) of the Redundancy Payments Act 1965, then, whether or not he was re-employed in employment to which this paragraph applies immediately following that termination, Schedule 1 to the said Act of 1963 shall have effect as if the period of his employment before that termination in employment to which this paragraph applies did not count as a period of employment with the Authority.
- (3) In the application of paragraph 7 of Schedule 2 to the said Act of 1963 (calculation of rates of remuneration) to a person in whose case sub-paragraph (1) of this paragraph applies, references in that paragraph to a former employer and a period of employment with a former employer shall be construed in accordance with the preceding sub-paragraphs, and the reference in that paragraph to paragraph 10 of Schedule 1 to that Act shall include a reference to paragraph (b) of the said sub-paragraph (1).

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

- (4) Section 7 of the said Act of 1963 (power to vary number of weekly hours of employment necessary to qualify for rights) shall have effect as if the references to paragraph 4 of Schedule 1 to that Act included references to the paragraph substituted for that paragraph by sub-paragraph (1) of this paragraph and to the following sub-paragraph.
- (5) This paragraph applies to employment of a person in the civil service of the State in an established or unestablished capacity within the meaning of the Superannuation Act 1965, and to employment of a person therein in part-time service, where he gives personal service of at least twenty-one hours a week and the remuneration in respect thereof is defrayed entirely out of money provided by Parliament.
- 2 (1) For the purpose of computing, for the purposes of the Redundancy Payments Act 1965, a period of employment of a person in whose case sub-paragraph (1) of the preceding paragraph applies, any reference in that Act to Schedule 1 or 2 to the Contracts of Employment Act 1963 shall, in relation to employment of his to which the preceding paragraph applies, being employment before the appointed day, be construed as a reference to the said Schedule 1 or 2, as the case may be, as it has effect by virtue of the preceding paragraph.
- (2) Where a person enters the employment of the Authority on the appointed day and immediately before that day was occupied in employment to which the preceding paragraph applies, then, for the purposes of computing a period of employment for the purposes of Schedule 1 to the said Act of 1963 as applied by the said Act of 1965, a period in which he was occupied in employment to which the preceding paragraph applies shall, notwithstanding the provisions of section 16(4) of the said Act of 1965 (which excludes the application of section 1 of that Act to a person in respect of certain employment) be treated as if it had been a period in respect of which section 1 of that Act had applied.
- 3 (1) Where a person enters the employment of the Authority on the appointed day and immediately before that day was occupied in employment to which this paragraph applies, then, for the purpose of ascertaining the length of the period of his employment for the purposes of sections 1 and 2 of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 (hereafter in this paragraph referred to as " the Act of 1965 "), Schedule 1 to that Act shall have effect—
- (a) as if, in a case where he was so occupied otherwise than under a contract of service, employment of his to which this paragraph applies in which he was occupied otherwise than as aforesaid before the appointed day had been employment within the meaning of the Act of 1965, and, while he was occupied therein, he had been an employee within the meaning of that Act, but as if, for paragraph 4 of that Schedule, there were substituted the following paragraph:—
- “4 Any week during the whole or a part of which the terms of his employment normally involve employment for twenty-one hours or more weekly shall count in computing a period of employment”; and
- (b) as if, in any case, subject to the following sub-paragraph, the period, ending immediately before the appointed day, of employment of his to which this paragraph applies counted as a period of employment with the Authority (if, apart from this provision, it would not so count) and his transfer to employment with the Authority did not break the continuity of the period of employment (if, apart from this provision, the transfer would do so).

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

- (2) Where, before the appointed day, a person's employment to which this paragraph applies was terminated and a payment made to him in respect of the termination in accordance with the Superannuation Act 1965 or any enactment repealed by that Act, or under such arrangements as are mentioned in section 41(3) of the Redundancy Payments Act 1965, then, whether or not he was re-employed in employment to which this paragraph applies immediately following that termination, Schedule 1 to the Act of 1965 shall have effect as if the period of his employment before that termination in employment to which this paragraph applies did not count as a period of employment with the Authority.
 - (3) In the application of paragraph 7 of Schedule 2 to the Act of 1965 (calculation of rates of remuneration) to a person in whose case sub-paragraph (1) of this paragraph applies, references in that paragraph to a former employer and a period of employment with a former employer shall be construed in accordance with the preceding sub-paragraphs, and the reference in that paragraph to paragraph 10 of Schedule 1 to that Act shall include a reference to paragraph (b) of the said sub-paragraph (1).
 - (4) Section 7 of the Act of 1965 (power to vary number of weekly hours of employment necessary to qualify for rights) shall have effect as if the reference therein to paragraph 4 of Schedule 1 to that Act included a reference to the paragraph substituted for that paragraph by sub-paragraph (1) of this paragraph and to sub-paragraph (7) of this paragraph.
 - (5) For the purpose of computing, for the purposes of the Act of 1965, a period of employment of a person in whose case sub-paragraph (1) of this paragraph applies, any reference in that Act to Schedule 1 or 2 to that Act shall, in relation to employment of his to which this paragraph applies being employment before the appointed day, be construed as a reference to the said Schedule 1 or 2, as the case may be, as it has effect by virtue of sub-paragraphs (1) to (4) of this paragraph.
 - (6) Where a person enters the employment of the Authority on the appointed day and, immediately before that day, was occupied in employment to which this paragraph applies, then, for the purpose of computing a period of employment for the purposes of the said Schedule 1 as applied by Schedule 3 to the Act of 1965, a period in which he was occupied in employment to which this paragraph applies shall, notwithstanding the provisions of section 26(3) of the Act of 1965 (which excludes the application of section 11 of that Act to a person in respect of certain employment), be treated as if it had been a period in respect of which section 11 of that Act had applied.
 - (7) This paragraph applies to employment of a person in the civil service of the State in an established or unestablished capacity within the meaning of the Superannuation Act 1965, and to employment of a person therein in part-time service where he gives personal service of at least twenty-one hours a week and the remuneration in respect thereof is defrayed entirely out of money provided by Parliament.
- 4 (1) For the purposes of paragraph 10(2) of Schedule 1 to the Contracts of Employment Act 1963 and section 13(1) of the Redundancy Payments Act 1965 (which relate to changes of ownership of businesses), there shall be deemed to be transferred to the Authority on the appointed day the business of any body which by virtue of section 27(1) of this Act is to cease or has ceased to have functions conferred on it in pursuance of section 7 of the Civil Aviation Act 1949 ; and a body whose business is deemed for those purposes to be transferred by virtue of this paragraph shall on

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

the appointed day be deemed for the purposes of the said section 13(1) to terminate in connection with the transfer its contracts of employment with persons employed by it immediately before the appointed day.

- (2) In the application of the preceding sub-paragraph to Northern Ireland, for the reference to the said Act of 1963 and the references to section 13(1) of the said Act of 1965 there shall be substituted respectively a reference to the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 and references to section 23(1) of the last-mentioned Act.
- 5
- (1) If, in the case of a hereditament vested in the Authority by virtue of section 14(1) of this Act, there is, in compliance with section 37(1) of the General Rate Act 1967, entered in the valuation list immediately before the appointed day, as representing the rateable value of the hereditament, the value upon which is computed any contribution made by the Crown in lieu of rates, then there shall be ascribed in that list to the hereditament under section 19 of that Act a net annual value equal to the value so entered.
 - (2) Where alterations fall to be made in a valuation list in consequence of the preceding sub-paragraph, the valuation officer shall cause those alterations to be made in the list without any proposal under section 69 of the General Rate Act 1967, and section 87 of that Act (duty of rating authority to give effect to directions as to alteration of a valuation list) shall have effect in relation to this paragraph as it has effect in relation to any provision of that Act.
 - (3) Expressions used in this paragraph and in the General Rate Act 1967 have the same meaning in this paragraph as in that Act.
- 6
- (1) If, in the case of lands and heritages vested in the Authority by virtue of section 14(1) of this Act, there is entered in the valuation roll immediately before the appointed day, as representing the rateable value of the lands and heritages, the value upon which is computed any contribution made by the Crown in lieu of rates, then the rateable value of the lands and heritages on the appointed day shall be taken to be the value so entered in the valuation roll.
 - (2) This paragraph extends to Scotland only.
- 7
- (1) If, in the case of a hereditament vested in the Authority by virtue of section 14(1) of this Act, there is entered in the valuation lists immediately before the appointed day, as representing the net annual value of the hereditament, the amount upon which is computed any contribution made by the Crown in lieu of rates, then the net annual value of the hereditament on the appointed day shall be taken to be the amount so entered in the valuation lists.
 - (2) A hereditament vested in the Authority by virtue of section 14(1) of this Act, which, immediately before the appointed day, was, under section 2 of the Valuation (Ireland) Act 1854, distinguished as exempt from rates shall, as from that day, be deemed not to be so distinguished.
 - (3) The Commissioner of Valuation for Northern Ireland shall not, during the period beginning with the appointed day and ending with the 31st March next following, make any interim revision of the net annual value of any hereditament vested in the Authority by virtue of section 14(1) of this Act unless during that period the Authority ceases to occupy the hereditament or there is a change in the use of the hereditament by the Authority.

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

- (4) In this paragraph " interim revision " means a revision under section 13 of the Local Government (Finance) Act (Northern Ireland) 1936 or section 4 of the Valuation Acts Amendment Act (Northern Ireland) 1953.
- (5) This paragraph extends to Northern Ireland only.
- 8 In relation to an application for an operator's licence under Part V of the Transport Act 1968 which is made by the Authority before the appointed day and is accompanied by a certificate of the Secretary of State certifying that the vehicles proposed to be used under the licence are in use by him, that Act shall have effect as if section 63 (which relates to objections to the grant of licences) were omitted and in section 64(1) (which relates to decisions on applications for licences) for the words from "paragraphs (a) to (d)" onwards there were substituted the words paragraphs (a) and (d) of subsection (2) of this section are satisfied".
- 9 In this Schedule " the appointed day " means such day as the Secretary of State may by order appoint; and different days may be appointed in pursuance of this paragraph for different provisions of this Schedule.