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*Status: This is the original version (as it was originally enacted).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

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## SCHEDULES

### SCHEDULE 1

#### RE-ENACTED PROVISIONS OF INDUSTRIAL RELATIONS ACT 1971

#### PART IV

#### CONCILIATION OFFICERS, AND MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

##### *Redundancy payments*

##### *[Section 150]*

- 29 (1) Regulations may make provision with respect to cases where a complaint of unfair dismissal is presented to an industrial tribunal under paragraph 17 above, and a redundancy payment or an equivalent payment has been paid, or has been or is claimed, in respect of the same dismissal.
- (2) Any such regulations may make such modifications of the provisions of Part III of this Schedule or of the Redundancy Payments Act 1965, as the Secretary of State may consider appropriate, including—
- (a) provisions excluding the right to a redundancy payment or equivalent payment, or requiring any such payment to be repaid, or
  - (b) provisions requiring a rebate under section 30 of that Act or a sum payable under section 41(2) of that Act to be withheld or reduced, or (where already paid) to be recoverable in whole or in part, and on being so recovered to be paid into the Redundancy Fund,
- in such circumstances as may be prescribed by the regulations.
- (3) In section 21 of the Redundancy Payments Act 1965 (claims for redundancy payments), at the end of paragraph (c) there shall be added the words “or
- (d) a complaint relating to his dismissal has been presented by the employee under paragraph 17 of Schedule 1 to the Trade Union and Labour Relations Act 1974”.
- (4) In this paragraph “equivalent payment” means any payment which is either—
- (a) a payment made or falling to be made as mentioned in paragraph (b) or paragraph (c) of section 30(1) of the Redundancy Payments Act 1965, or
  - (b) a payment in respect of the termination of a person's employment, made in accordance with a scheme under section 1 of the Superannuation Act 1972 or in accordance with any such arrangements as are mentioned in section 41(3) of the Redundancy Payments Act 1965.
- (5) No regulations shall be made under this paragraph unless a draft of the regulations has been laid before Parliament and approved by resolution of each House of Parliament.