Employment Protection Act 1975

1975 CHAPTER 71

An Act to establish machinery for promoting the improvement of industrial relations; to amend the law relating to workers’ rights and otherwise to amend the law relating to workers, employers, trade unions and employers’ associations; to provide for the establishment and operation of a Maternity Pay Fund; to provide for the extension of the jurisdiction of [F1 employment tribunals]; to amend the law relating to entitlement to and recoupment of unemployment benefit and supplementary benefit; to amend the Employment Agencies Act 1973 as respects the exercise of licensing functions under that Act; to amend the Employment and Training Act 1973 as respects the status of bodies established, and the powers of the Secretary of State, under that Act; to amend the Health and Safety at Work etc. Act 1974 as respects the appointment of safety representatives, health and safety at work in agriculture, the status of bodies established and the disclosure of information obtained under that Act; to provide for the extension of employment legislation to certain parliamentary staff and to certain areas outside Great Britain; and for connected purposes.

[12th November 1975]

Textual Amendments

F1 Words in long title substituted (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2); S.I. 1998/1658, art. 2(1), Sch.)

PART I

MACHINERY FOR PROMOTING THE IMPROVEMENT OF INDUSTRIAL RELATIONS

Advisory, Conciliation and Arbitration Service, etc.

F2 .................................
Textual Amendments

F2  Ss. 1-10 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), s. 300(1), 302, Sch.1.

F3  

Textual Amendments

F4  Ss. 1-10 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), s. 300(1), 302, Sch.1.

F5  

Textual Amendments

F6  Ss. 1-10 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), s. 300(1), 302, Sch.1.

F7  

Textual Amendments

F8  Ss. 1-10 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), s. 300(1), 302, Sch.1.
Employment Protection Act 1975 (c. 71)

Part I – Machinery for Promoting the Improvement of Industrial Relations

Changes to legislation: Employment Protection Act 1975 is up to date with all changes known to be in force on or before 24 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

Ss. 1-10 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

Textual Amendments

Ss. 1-10 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

Ss. 1-10 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

Ss. 11–16, 98, Sch. 11 repealed with saving by Employment Act 1980 (c. 42), Sch. 2 and S.I. 1980/1170, art. 4, Sch. 3

Disclosure of information
Employment Protection Act 1975 (c. 71)

Part II –

Changes to legislation: Employment Protection Act 1975 is up to date with all changes known to be in force on or before 24 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F13  Ss. 17-21 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F14  Ss. 17-21 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F15  Ss. 17-21 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F16  Ss. 17-21 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F17  Ss. 17-21 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F18  Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11,13–

PART II

22— 39.

Textual Amendments
Employment Protection Act 1975 (c. 71)
Part III –

Changes to legislation: Employment Protection Act 1975 is up to date with all changes known to be in force on or before 24 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), Sch. 17

40

(1) ........................................ F19
(2) ........................................ F20
(3) ........................................ F21
(4) ........................................ F20
(5) ........................................ F19

Textual Amendments
F19 S. 40(1)(5)(6) repealed by Employment Act 1990 (c. 38, SIF 43:5), s. 16(2), Sch. 3
F20 S. 40(2)(4) repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), Sch. 11 (with saving in S.I. 1987/406, reg. 2(3)(b))
F21 S.40 (3) repealed by Social Security (Miscellaneous Provisions) Act 1977 (c. 5), Sch. 2

41—88 ........................................ F22

Textual Amendments
F22 Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11 ,13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), Sch. 17

PART III

89— ........................................ F23

Textual Amendments
F23 Ss. 89–96, Schs. 7, 8, Sch. 17 para. 11 repealed by Wages Councils Act 1979 (c. 12), Schs 5, 7

Powers of Agricultural Wages Boards

97 Amendments of Agricultural Wages Acts.

F24(1) ........................................
F24(2) ........................................
(3) For section 3 of the Agricultural Wages (Scotland) Act 1949 (power to fix remuneration and holidays) there shall be substituted the section set out in Part 1 of Schedule 10 to this Act (which reproduces section 3 with amendments enabling the Scottish Agricultural Wages Board to fix other terms and conditions of employment as well as remuneration fixed by them is to be payable).

(4) The other provisions of the said Act of 1949 shall have effect subject to the amendments set out in Part II of Schedule 10 to this Act, being minor and consequential amendments.
Employment Protection Act 1975 (c. 71)

Part IV – Procedure for Handling Redundancies

Document Generated: 2019-10-24

Changes to legislation: Employment Protection Act 1975 is up to date with all changes known to be in force on or before 24 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments


F31  Ss. 104, 105(4)(5) repealed by Wages Act 1986 (c. 48, SIF 43:2), s. 32(2), Sch. 5 Pt. I
Changes to legislation: Employment Protection Act 1975 is up to date with all changes known to be in force on or before 24 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PART V
MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

Textual Amendments

Textual Amendments

Textual Amendments

Textual Amendments

Textual Amendments
F36 Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I, II, Pt. III paras. 8, 10, 11, 13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), Sch. 17
110

Textual Amendments

111 Disentitlement to unemployment benefit and supplementary benefit during trade dispute.

F38 (1) .................................................. F39
(2) .................................................. F39

Textual Amendments
F38 S. 111(1) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 8
F39 S. 111(2) repealed by Supplementary Benefits Act 1976 (c. 71), s. 35(3), Sch. 8 Pt. II

Modifications etc. (not altering text)
C3 The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1)(2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1)(2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

112 .................................................. F40

Textual Amendments
F40 Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I, II, Pt. III paras. 8, 10, 11, 13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), Sch. 17

113 .................................................. F41

Textual Amendments
F41 S. 113 repealed by Social Security (Miscellaneous Provisions) Act 1977 (c. 5), s. 24(6), Sch. 2

The Employment Agencies Act 1973 shall have effect subject to the amendments which transfer the licensing functions under that Act from local authorities to the Secretary of State.

Modifications etc. (not altering text)

C4 The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–(4)(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–(4)(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1)(2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1)(2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M2 1973 c.35


The Employment and Training Act 1973 shall have effect subject to the amendments specified in Schedule 14 to this Act, being amendments which provide for the status of the bodies established under section 1(1) of that Act and enlarge the powers of the Secretary of State to make arrangements for the purpose of providing or obtaining employment.

Modifications etc. (not altering text)

C5 The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–(4)(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–(4)(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1)(2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1)(2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M3 1973 c.50


The Health and Safety at Work etc. Act 1974 shall have effect subject to the amendments which restrict the appointment of safety representatives to those appointed by recognised trade unions, remove the special provisions relating to health and safety at work in agriculture and enable certain statements to be given notwithstanding the restrictions on disclosure of information obtained under that Act.

Modifications etc. (not altering text)

C6 The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–(4)(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–(4)(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1)(2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4),
Employment Protection Act 1975 (c. 71)
Part V – Miscellaneous and Supplementary Provisions
Document Generated: 2019-10-24

Changes to legislation: Employment Protection Act 1975 is up to date with all changes known to be in force on or before 24 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

3(1)(2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations
M4 1974 c.37

Textual Amendments
F42 117 ..............................................

Textual Amendments
F43 118 ..............................................

Textual Amendments
F44 119 ..............................................

Textual Amendments
F45 120 ..............................................

Textual Amendments
F46 121 ..............................................
Employment Protection Act 1975 (c. 71)

Part V – Miscellaneous and Supplementary Provisions

124 Financial provisions.

(1) Subject to the following provisions of this section, there shall be defrayed out of moneys provided by Parliament—

(a) all expenses incurred by the Secretary of State or any other Minister of the Crown or any government department in consequence of the provisions of this Act;

(b) any increase attributable to the provisions of this Act in the sums payable out of moneys so provided under any other enactment.

(2) There shall be paid into the Consolidated Fund any sums received by a Minister of the Crown by virtue of this Act, except sums which are expressly required to be paid into the Redundancy Fund or the National Insurance Fund.

(5) As respects any increase attributable to the provisions of this Act in the expenses which under section 163(2)(a) of the Social Security Administration Act 1992 are to be paid out of moneys provided by Parliament, subsection (1)(c) above is without prejudice to the provision made by section 165(5) of that Act for reimbursement out of the National Insurance Fund.

Textual Amendments

F46 Ss. 121-123 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F47 Ss. 121-123 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F48 Ss. 121-123 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F49 S. 124(1)(b) repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F50 Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I, II, Pt. III paras. 8, 10, 11, 13–
125 Minor and consequential amendments, transitional provisions and repeals.

(1) \(F54\) . . the enactments specified in Part IV of that Schedule, shall have effect subject to the amendments so specified respectively, being minor amendments and amendments consequential on any provisions of this Act.

(2) The transitional provisions in Schedule 17 to this Act shall have effect.

(3) The enactments specified in Schedule 18 to this Act are hereby repealed to the extent specified in column 3 of that Schedule.

Textual Amendments

\(F54\) Words in s. 125(1) repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

Modifications etc. (not altering text)

\(C7\) In s. 125(1) 'that Schedule' refers to Schedule 16 to this Act.

\(C8\) The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1)(2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1)(2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

\(F55\) 126 .................................

Textual Amendments

\(F55\) Ss. 126-128 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

\(F56\) 126A .................................

Textual Amendments

\(F56\) S. 126A inserted by Employment Act 1982 (c. 46, SIF 43:5), s. 21, Sch. 3 para. 13(3)

Ss. 126-128 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.
129  Short title, commencement and extent.

(1) This Act may be cited as the Employment Protection Act 1975.

(2) The other provisions of this Act shall come into operation on such day as the Secretary of State may by order appoint, and different days may be so appointed for different purposes.

(4) Any reference in this Act to the commencement of any provision of this Act shall be construed as a reference to the day appointed under this section for the coming into operation of that provision.

(5) an order under this section may contain such transitional provision or savings as appear to the Lord Chancellor or, as the case may be, the Secretary of State to be necessary or expedient in connection with the provisions of this Act which are thereby brought (wholly or in part) into operation, including such adaptations of those provisions then in force as appear to the Lord Chancellor or, as the case may be, the Secretary of State to be necessary or expedient in consequence of their partial operation (whether before, on or after the day appointed by the order).

(6) any provision of this Act which amends or repeals any provision of the House of Commons Disqualification Act 1975 or the Northern Ireland Assembly Disqualification Act 1975 shall extend to Northern Ireland, but except as aforesaid this Act shall not extend there.
Employment Protection Act 1975 (c. 71)
Part V – Miscellaneous and Supplementary Provisions

Changes to legislation: Employment Protection Act 1975 is up to date with all changes known to be in force on or before 24 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Modifications etc. (not altering text)
C9 Power of appointment conferred by s. 129(3) fully exercised
C10 "The other provisions" means ss. 87, 88 and Sch. 6

Marginal Citations
M5 1975 c. 24.
M6 1975 c. 25.
SCHEDULES

SCHEDULE 1

Textual Amendments

SCHEDULE 1

1. Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

2. Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.


4. Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

PART I

CONSTITUTION ETC. OF ADVISORY, CONCILIATION AND ARBITRATION SERVICE AND ITS COUNCIL

The Council

1. Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

2. Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.
Employment Protection Act 1975 (c. 71)
SCHEDULE 1

Changes to legislation: Employment Protection Act 1975 is up to date with all changes known to be in force on or before 24 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

Textual Amendments

F66 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

Staff

F67

Textual Amendments

F67 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F68

Textual Amendments

F68 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F69

Textual Amendments

F69 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

Supplemental

F70

Textual Amendments

F70 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F71

Textual Amendments

F71 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.
Textual Amendments
F72 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F73 12

Textual Amendments
F73 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F74 13

Textual Amendments
F74 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F75 14

Textual Amendments
F75 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F76 15

Textual Amendments
F76 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F77 16

Textual Amendments
F77 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

PART II
CENTRAL ARBITRATION COMMITTEE

Constitution
F75 14

Textual Amendments
F76 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F77 16

Textual Amendments
F77 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.
Employment Protection Act 1975 (c. 71)
SCHEDULE 1

Changes to legislation: Employment Protection Act 1975 is up to date with all changes known to be in force on or before 24 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Proceedings

Textual Amendments

F78 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F79 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

Textual Amendments

F80 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F81 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

Textual Amendments

F82 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

Textual Amendments

F83 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

Textual Amendments

F84 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.
Employment Protection Act 1975 (c. 71)
SCHEDULE 1

Changes to legislation: Employment Protection Act 1975 is up to date with all changes known to be in force on or before 24 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments
F84 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F85 .................................................................

Textual Amendments
F85 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

Supplemental
F86 .................................................................

Textual Amendments
F86 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F87 .................................................................

Textual Amendments
F87 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F88 .................................................................

Textual Amendments
F88 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

PART III
SUPPLEMENTARY PROVISIONS

Remuneration and allowances
F89 .................................................................

Textual Amendments
F89 Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.
Employment Protection Act 1975 (c. 71)

SCHEDULE 1

Document Generated: 2019-10-24

Changes to legislation:
Employment Protection Act 1975 is up to date with all changes known to be in force on or before 24 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

Sums payable on retirement

Expenses of hearings before the Certification Officer

Expenses
## Textual Amendments

**F96** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

## Accounts

**F97**

## Textual Amendments

**F97** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

**F98**

## Textual Amendments

**F98** Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

## SCHEDULES 2—6

**Textual Amendments**

**F99** Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11,13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), Sch. 17

## SCHEDULES 7—8

**Textual Amendments**

**F100** Ss. 89–96, Schs. 7, 8, Sch. 17 para. 11 repealed by Wages Councils Act 1979 (c. 12), Schs 5, 7
F101 SCHEDULE 9

Textual Amendments

F101 Sch. 9 repealed (25.6.2013 for the purpose of the repeal of Sch. 9 Pt. 1 and para. 6 of Pt. 2, 1.10.2013 for the purpose of the repeal of Sch. 9 Pt. 2 so far as not already in force) by Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), Sch. 20 para. 2; S.I. 2013/1455, arts. 2(c), 3(b), Schs. 1, 2 (with art. 4(2)(4))

SCHEDULE 10

M7 AMENDMENTS OF AGRICULTURAL WAGES (SCOTLAND) ACT 1949

Marginal Citations

M7 1949 c. 30.

PART 1

SECTION 3, AS SUBSTITUTED

Modifications etc. (not altering text)

C11 The text of ss. 97(1–4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1–4(3), 6, Sch. 13 paras. 1, 2, 3(1–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1–(4), 3(1) (2)(4), 4(1–5), 6, 7(a)(b), 9(1–(4), 10(1–(3), 12(1–(3), 13(1), 17, 18(1–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Power of Scottish Agricultural Wages Board to fix rates of wages and holidays.

3 (1) Subject to and in accordance with the provisions of this section, the Board shall have power to make an order in accordance with the provisions of Schedule 3 to this Act—
   (a) fixing minimum rates of wages ;
   (b) directing holidays to be allowed ;
   (c) fixing any other terms and conditions of employment for workers employed in agriculture.

(2) The power of the Board to make an order under subsection (1)(a) of this section fixing minimum rates of wages is a power to make an order—
   (a) fixing minimum rates for time work ;
   (b) fixing minimum rates for piece work ;
(c) fixing minimum rates for time work, to apply in the case of workers employed on piece work, for the purpose of securing to such workers a minimum rate of remuneration on a time work basis; or

(d) fixing separate minimum rates by way of pay in respect of holidays:

Provided that the minimum time rate for piece-work shall not in any case be higher than the minimum rate which, if the work were time work, would be applicable thereto by virtue of paragraph (a) of this subsection.

(2A) It shall be the duty of the Board to make an order under this section fixing such minimum rates of wages for time work as are referred to in paragraph (a) of the last preceding subsection.

(3) An order under paragraph (b) of subsection (1) of this section directing that a worker shall be allowed a holiday—

(a) shall not be made unless both minimum rates of wages in respect of the period of the holiday and minimum rates of wages otherwise than in respect of the holiday have been or are being fixed under this section for that worker;

(b) shall provide for the duration of the holiday being related to the duration of the period for which the worker has been employed or engaged to be employed by the employer who is to allow the holiday; and

(c) subject as aforesaid, may make provisions as to the times at which or the periods within which, and the circumstances in which, the holiday shall be allowed.

(3A) An order under this section fixing separate minimum rates of wages in respect of holiday may make provision—

(a) with respect to the times at which, and the conditions subject to which, those wages shall accrue and shall become payable, and

(b) for securing that any such wages which have accrued to a worker during his employment by any employer shall, in the event of his ceasing to be employed by that employer before he becomes entitled to be allowed a holiday by him, nevertheless become payable by the employer to the worker.

(4) Any such minimum rates of wages as are mentioned in subsection(2) of this section may be fixed so as to vary according as the employment is for a day, week, month or other period, or according to the number of working hours, or the conditions of the employment or so as to provide for a differential rate in the case of employment defined by the Board as being overtime employment, whether that employment is remunerated on a time work or a piece work basis.

In the exercise of their powers under this subsection, the Board shall, so far as is reasonably practicable, secure a weekly half-holiday for workers.

(5) An order under this section shall have effect as regards any terms as to remuneration from a date specified in the order, which may be a date earlier than the date of the order but not earlier than the date on which the Board agreed on those terms prior to publishing (in accordance with Schedule 3 to this Act) the original proposals to which effect is given, with or without modifications, by the order.

(6) Any increase of wages payable by virtue of an order under this section in respect of any time before the date of the order (hereafter in this Act referred to as arrears of wages) shall be paid by the employer within a period specified in the order being—
Employment Protection Act 1975 (c. 71)
SCHEDULE 10 – Amendments of Agricultural Wages (Scotland) Act 1949

(a) in the case of a worker who is in the employment of the employer on that date, a period beginning with that date;

(b) in the case of a worker who is no longer in the employment of the employer on that date a period beginning with that date or the date on which the employer receives from the worker or a person acting on his behalf a request in writing for those wages, whichever is the later.

(7) Nothing in this section shall be construed as preventing the Board fixing a minimum rate of wages so as to secure that workers employed in agriculture receive remuneration calculated by reference to periods during the currency of their employment.

PART II
MINOR AND CONSEQUENTIAL AMENDMENTS

1 In section 4(1) (enforcement), after paragraph (c) there shall be inserted the words “or

(d) to pay to any such worker arrears of wages within the period specified in the order;”

and accordingly references in the provisions of that section following that paragraph and in any other provisions of the Agricultural Wages (Scotland) Act 1949 to wages or to the payment of wages at a rate not less than the minimum rate or the minimum rate applicable shall include references to arrears of wages or their payment, as the case may require.

Marginal Citations
M8 1949 c. 30.

2 F102(1) In section 5 (permits to infirm and incapacitated persons), after subsection (2) there shall be inserted the following subsection:—

“(2A) If on application in that behalf the Secretary of State is satisfied that a worker employed or desiring to be employed is so affected by any physical injury or mental deficiency, or any infirmity due to age or any other cause, as to make it inappropriate for any terms and conditions of employment (other than those with respect to wages and holidays) fixed by an order under this Act to apply to him, the Secretary of State shall grant him, subject to any conditions he may determine, a permit dispensing, as from the date of the application or a later date specified in the permit, with a term or condition specified in the order, and while the permit is in force and any conditions to which the permit is subject are complied with, the terms and conditions fixed by the order shall be deemed to be observed.”

(2) In section 5(3) (revocation of permit), after the words “subsection (1)”, in both places where they occur, there shall be inserted the words “or (2A)”.

(3) In section 5(4) (variation of condition of permit),

(a) after the words “subsection (1)” there shall be inserted the words “or (2A)”;

(b) at the end there shall be inserted the words “and, in the case of variation caused by a change made by an order under this Act in the minimum rates of
wages, that variation shall take effect from a date specified in the direction, not being earlier than the date of the change”.

(4) In section 5(4A), after the words “subsection (1)” there shall be the words inserted “or (2A)”. 

(5) After section 5(4A) there shall be inserted the following subsection:

“(4B) Any increase of wages payable by virtue of a variation of a permit under subsection (4) of this section in respect of any time before the date of the variation shall be paid by the employer within a period specified in the order being—

(a) in the case of a worker who is in the employment of the employer on the date on which notice of the variation is given in accordance with subsection (5) of this section a period beginning with that date;

(b) in the case of a worker who is no longer in the employment of the employer on the date referred to in the last preceding paragraph, a period beginning with that date or the date on which the employer receives from the worker or a person acting on his behalf a request in writing for those wages, whichever is the later”.]
4 (1) In section 12(3)(a) (inspection of records), at the end there shall be added the words “and records of terms and conditions of employment of such workers”.

(2) In section 12(4), the words from “and in any such civil proceedings” onwards shall be omitted and at the end of that subsection there shall be inserted the following subsections:—

“(4A) Where it appears to the Secretary of State that a term or condition of employment fixed by order of the Board is not being complied with by an employer, the Secretary of State may institute, on behalf or in the name of the worker, civil proceedings in respect of the failure to comply with the term or condition.

(4B) In any civil proceedings instituted by the Secretary of State by virtue of this section the court shall, if the Secretary of State is not a party to the proceedings, have the same power to make an order for the payment of expenses by the Secretary of State as if he were a party to the proceedings.”.

(3) In section 12, for subsection (5) (saving for ordinary right to bring proceedings) substitute the following subsection:— “Nothing in subsection (4) or (4A) of this section shall be taken to exclude the bringing otherwise than in accordance with either of those subsections proceedings of any description mentioned in those subsections.”.

5 The provisions specified in column 1 of the following Table (which create offences) shall each have effect as if the maximum fine which may be imposed on summary conviction of any offence specified in that provision were a fine not exceeding the amount specified in column 3 of that Table instead of a fine not exceeding the amount specified in column 2 of that Table.

TABLE

<table>
<thead>
<tr>
<th>Provision</th>
<th>Old maximum fine</th>
<th>New maximum fine</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 4(1) (failure to pay wages, or arrears, or allow holidays).</td>
<td>£20 and in addition £1 for each day on which the offence is continued after conviction.</td>
<td>[F103] level 3 on the standard scale and an additional £5 for each day on which the offence is continued after conviction.</td>
</tr>
</tbody>
</table>
Section 6(6) (payment of unlawful premiums).

£20

Section 12(6) (hindering officers (paragraph (a)), failure to produce documents or information (paragraph (b)), producing false documents (paragraph (c)) and furnishing false information (paragraph (d))).

£20

[F103 level 3 on the standard scale]

[F103 level 3 on the standard scale] in the case of an offence under paragraph (a) or (b) and [F103 level 5 on the standard scale] in the case of an offence under paragraph (c) or (d).

Textual Amendments

F103 Words substituted by virtue of Criminal Procedure (Scotland) Act 1975 (c.21, SIF 39:1), ss. 289F, 289G

6 In paragraph 6 of Schedule 3 (power to vary and revoke orders), the words from the beginning to “holidays” shall be omitted.

Modifications etc. (not altering text)

C15 The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

F104 Ss. 11–16, 98, Sch. 11 repealed with saving by Employment Act 1980 (c. 42), Sch. 2 and S.I. 1980/1170, art. 4, Sch. 3
SCHEDULE 12

Textual Amendments
F105 Sch. 12 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1.

PART I

GENERAL

Introductory

Textual Amendments
F106 Sch. 12 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1.

Institution or continuance of tribunal proceedings

Textual Amendments
F107 Sch. 12 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1.

Rights and liabilities accruing after death

Textual Amendments
F108 Sch. 12 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1.
Employment Protection Act 1975 (c. 71)

SCHEDULE 13 – Amendments of the Employment Agencies Act 1973

Document Generated: 2019-10-24

Changes to legislation: Employment Protection Act 1975 is up to date with all changes known to be in force on or before 24 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F110 Sch. 12 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F111 Sch. 12 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

Death during protected period

F112 Sch. 12 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

PART II

8—12. ....................................................... F113

Textual Amendments

F113 Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I, II, Pt. III paras. 8, 10, 11, 13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), Sch. 17

SCHEDULE 13

AMENDMENTS OF THE EMPLOYMENT AGENCIES ACT 1973

Marginal Citations

M9 1973 c.35

F114 Sch. 13 para. 1 repealed (3.1.1995) by 1994 c. 40, s. 81, Sch. 17; S.I. 1994/3188, arts. 2, 3(n)(s)
Textual Amendments

F115 Sch. 13 para. 2 repealed (3.1.1995) by 1994 c. 40, s. 81, Sch. 17; S.I. 1994/3188, arts. 2, 3(n)(s)

F116 Sch. 13 para. 3 repealed (3.1.1995) by 1994 c. 40, s. 81, Sch. 17; S.I. 1994/3188, arts. 2, 3(n)(s)

F117 Sch. 13 para. 4 repealed (3.1.1995) by 1994 c. 40, s. 81, Sch. 17; S.I. 1994/3188, arts. 2, 3(n)(s)

F118 Sch. 13 para. 5 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 8

Modifications etc. (not altering text)

C16 The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

6 (1) In section 9(1) for the words “of a licensing authority by them in that behalf” substitute the words “duly authorised in that behalf by the Secretary of State”.

(2) In section 9(1)(c) for the words “licensing authority” and “their” substitute respectively the words “Secretary of State” and “his”.

(3) In section 9(4)(a) sub-paragraph (ii) and (iii) are hereby repealed, sub-paragraphs (iv) and (v) shall be renumbered as, respectively, sub-paragraphs (ii) and (iv), and after the renumbered sub-paragraph (ii) there shall be inserted the following sub-paragraph—

“(iii) by the Secretary of State, or an officer or servant appointed by, or persons exercising functions on behalf of, the Secretary of State to the person carrying on or proposing to carry on the employment agency or employment business concerned, to any person in his employment or, in the case of information relating to a person availing himself of the services of such an agency or business, to that person; or”,

F119}
Textual Amendments

**F119** Words in Sch. 13 para. 6(3) repealed (3.1.1995) by 1994 c. 40, s. 81, Sch. 17; S.I. 1994/3188, arts. 2, 3(n)(s)

**Modifications etc. (not altering text)**

**C17** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**F120**

Textual Amendments

**F120** Sch. 13 para. 7 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 8

**Modifications etc. (not altering text)**

**C18** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

---

**SCHEDULE 14**

Section 115.

**AMENDMENTS OF THE EMLOYMENT AND TRAINING ACT 1973**

**Marginal Citations**

**M10** 1973 c.50

1 .......................... **F121**

**Textual Amendments**

**F121** Sch. 14 para. 1, 4, 5 repealed by Employment Act 1989 (c. 38, SIF 43:1), s. 29(4), Sch. 7 Pt. I

2  (1) .......................... **F122**

(2) .......................... **F123**

**Textual Amendments**

**F122** Sch. 14 para. 2(1) repealed by Employment Act 1988 (c. 19, SIF 43:5), s. 33(2), Sch. 4
Employment Protection Act 1975 (c. 71)
Schedule 15 – Amendments of the Health and Safety at Work Etc. Act 1974

Changes to legislation: Employment Protection Act 1975 is up to date with all changes known to be in force on or before 24 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

3

Sch. 14 para. 2(2)–(5) repealed by Employment Subsidies Act 1978 (c. 6), s. 3(7)(b)

After section 13(1) insert the following subsection:—

“(1A) Any reference in this Act to redundancy shall be construed as a reference in the existence of one or other of the facts specified in section 1(2)(a) and (b) of the Redundancy Payments Act 1965”.

---

Modifications etc. (not altering text)

C19 The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

---

Textual Amendments

F124 Sch. 14 para. 1, 4, 5 repealed by Employment Act 1989 (c. 38, SIF 43:1), s. 29(4), Sch. 7 Pt. I

6

Textual Amendments

F125 Sch. 14 para. 6 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 8

---

SCHEDULE 15

AMENDMENTS OF THE 1974 HEALTH AND SAFETY AT WORK ETC. ACT 1974

Marginal Citations

M11 1974 c.37

F126 Sch. 15 para. 1 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 8

Textual Amendments

In section 2, omit subsection (5) and in subsection (7) for the words “subsections (4) and (5)” substitute the words “subsection (4)”.

---
After section 10(7) insert the following subsection:

“(8) For the purposes of any civil proceedings arising out of those functions, the Crown Proceedings Act 1947 and the Crown Suits (Scotland) Act 1857 shall apply to the Commission and the Executive as if they were governments departments within the meaning of the said Act of 1947 or, as the case may be, public departments within the meaning of the said Act of 1857”.

In section 15, for subsection (1) substitute—

“(1) Subject to the provisions of section 50, the Secretary of State, the Minister of Agriculture, Fisheries and Food or the Secretary of State and that Minister acting jointly shall have power to make regulations under this section for any of the general purposes of this part (and regulations so made are in this Part referred to as “health and safety regulations”).”.

The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(o)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(o)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1)
Employment Protection Act 1975 (c. 71)
Schedule 15 – Amendments of the Health and Safety at Work Etc. Act 1974

Changes to legislation: Employment Protection Act 1975 is up to date with all changes known to be in force on or before 24 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments
F129 Sch. 15 para. 7 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 8

Textual Amendments
F130 Sch. 15 para. 8 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 8

9 In section 28, after subsection (8) insert the following subsection—

“(9) Notwithstanding anything in subsection (7) above, a person who has obtained such information as is referred to in that subsection may furnish to a person who appears to him to be likely to be a party to any civil proceedings arising out of any accident, occurrence, situation or other matter, a written statement of relevant facts observed by him in the course of exercising any of the powers referred to in that subsection”.

Modifications etc. (not altering text)
C23 The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments
F131 Sch. 15 para. 10 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 8

Textual Amendments
F132 Sch. 15 para. 11 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 8

12 In section 43, in subsection (3) omit the words “the Minister of Agriculture, Fisheries and Food” and for subsections (6) and (7) substitute—
“(6) The power to make regulations under this section shall be exercisable by the Secretary of State, the Minister of Agriculture, Fisheries and Food or the Secretary of State and that Minister acting jointly.”

**Modifications etc. (not altering text)**

C24 The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

F133 13 ........................................

Textual Amendments

F133 Sch. 15 para. 13 omitted (1.4.2014) by virtue of Energy Act 2013 (c. 32), s. 156(1), Sch. 12 para. 57; S.I. 2014/251, art. 4

F134 14 ........................................

Textual Amendments

F134 Sch. 15 para. 14 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 8

(1) In section 49, in subsection (1) for the words “The appropriate Minister may by regulations amend”, substitute the words “Regulations made under this subsection may amend”, in subsection (2) for the words “appropriate Minister” substitute the words “authority making the regulations”, in subsection (3) omit the words “by the appropriate Minister” and for the words “if the appropriate Minister” substitute the words “if the authority making the regulations”.

(2) For subsection (4) of that section substitute—

“(4) The power to make regulations under this section shall be exercisable by the Secretary of State, the Minister of Agriculture, Fisheries and Food or the Secretary of State and that Minister acting jointly.”

**Modifications etc. (not altering text)**

C25 The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

(1) In section 50, for subsection (1) substitute—


“(1) Where any power to make regulations under any of the relevant statutory provisions is exercisable by the Secretary of State, the Minister of Agriculture, Fisheries and Food or both of them acting jointly that power may be exercised either so as to give effect (with or without modifications) to proposals submitted by the Commission under section 11(2)(d) or independently of any such proposals; but the authority who is to exercise the power shall not exercise it independently of proposals from the Commission unless he has consulted the Commission and such other bodies as appear to him to be appropriate”.

(2) In subsection (2) of that section for the words from “Secretary of State” to “preceding subsection” substitute “authority who is to exercise any such power as is mentioned in subsection(1) above proposes to exercise that power”.

(3) In subsection (3), for the words “to the Secretary of State” substitute the words “under section 11(2)(d)”.

F135

Textual Amendments

F135 Sch. 15 para. 16(4) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 8

Modifications etc. (not altering text)

C26 The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–4, 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(6)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

17 In section 52, for subsections (3) and (4) substitute—

“(3) The power to make regulations under subsection (2) above shall be exercisable by the Secretary of State, the Minister of Agriculture, Fisheries and Food or the Secretary of State and that Minister acting jointly”.

Modifications etc. (not altering text)

C27 The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–4, 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(6)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

F136

Textual Amendments

F136 Sch. 15 para. 18 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 8
In section 80, for subsections (4) to (6) substitute—

“(4) The power to make regulations under subsection (1) above shall be exercisable by the Secretary of State, the Minister of Agriculture, Fisheries and Food or the Secretary of State and that Minister acting jointly; but the authority who is to exercise the power shall, before exercising it, consult such bodies as appear to him to be appropriate.

(5) In this section “the relevant statutory provisions” has the same meaning as in Part I.”.
Textual Amendments
F141 Sch. 16 Pt. III repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F142

Textual Amendments
F142 Sch. 16 Pt. III repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F143

Textual Amendments
F143 Sch. 16 Pt. III repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

4

F144

Textual Amendments
F144 Ss. 106(1), Sch. 16 Pt. III paras. 4, 17, Sch. 17 para. 13 repealed by Employment Act 1980 (c. 42), Sch. 2

F145

Textual Amendments
F145 Sch. 16 Pt. III repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F146

Textual Amendments
F146 Sch. 16 Pt. III repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F147

Textual Amendments
F147 Sch. 16 Pt. III repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

8
# Employment Protection Act 1975 (c. 71)

**SCHEDULE 16 – Minor and Consequential Amendments**

**Document Generated: 2019-10-24**

*Changes to legislation:* Employment Protection Act 1975 is up to date with all changes known to be in force on or before 24 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## Textual Amendments

| F148 | Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11, 13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), Sch. 17 |
|      | 9 |
| F149 | Sch. 16 Pt.III para. 9, 12 repealed by Education (Scotland) Act 1980 (c. 44), Sch. 5 |
|      | 10, 11. |
| F150 | |
| F151 | |
| F152 | Sch. 16 Pt.III para. 9, 12 repealed by Education (Scotland) Act 1980 (c. 44), Sch. 5 |
|      | 13—16. |
| F153 | |
| F154 | Schs. 16 Pt. III paras. 4, 17, Sch. 17 para. 13 repealed by Employment Act 1980 (c. 42), Sch. 2 |
|      | 18—30. |
### Part IV

#### Miscellaneous Amendments

<table>
<thead>
<tr>
<th>30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), Sch. 17</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Textual Amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td>F155 Sch. 16 Pt. III repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>34</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Textual Amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td>F158 Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I,II, Pt. III paras. 8, 10, 11 ,13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), Sch. 17</td>
</tr>
<tr>
<td>---</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>35</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Textual Amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td>F159 Sch. 16 Pt. III repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.</td>
</tr>
</tbody>
</table>

---
Employment Protection Act 1975 (c. 71)

SCHEDULE 16 – Minor and Consequential Amendments

Document Generated: 2019-10-24

Textual Amendments

F160 S. 122(9), Sch.16 Pt. IV para. 1 repealed by House of Commons (Administration) Act 1978 (c. 36), Sch. 3

Trade Union Act 1913 (2 & 3 Geo. 5 c. 30)

Textual Amendments

F161 Sch. 16 Pt. IV para. 2 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

Industrial Courts Act 1919 (c. 69)

Textual Amendments

F162 Sch. 16 Pt. IV para. 3 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

Road Haulage Wages Act 1938 (c. 44)

4 (1) The Road Haulage Wages Act 1938 shall be amended in accordance with the following provisions of this paragraph.

(2) In sections 4 and 5 for the word “Minister” substitute the word “Service” and in section 15(1) after the definition of “Road haulage work” and “Road haulage worker” insert— “Service” means the Advisory, Conciliation and Arbitration Service.”.

(3) In sections 4, 5 and 8 for the words “Industrial Court” and “Court” wherever they occur substitute respectively the words “Central Arbitration Committee” and “Committee”.

(4) In section 4(6) for the words “the Industrial Courts Act, 1919” substitute the words “section 3 of the Employment Protection Act 1975”.

(5) Section 5(5) is hereby repealed.

Modifications etc. (not altering text)

C28 The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1)(2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1)(2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.
Textual Amendments

F163 Sch. 16 Pt. IV para. 5 repealed by Civil Aviation Act 1980 (c. 60, SIF 9), Sch. 3 Pt. I

---

Public Records Act 1958 (c.51)

6 In Part 11 of the Table at the end of paragraph 3(2) of Schedule I to the Public Records Act 1958 insert at the appropriate place in alphabetical order the following entry—

“Commission on Industrial Relations.”

---

Textual Amendments

F164 Sch. 16 Pt. IV para. 7 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

---

Textual Amendments

F165 Sch. 16 Pt. IV para. 8 repealed by Films Act 1985 (c. 21, SIF 45A), s. 7(1), Sch. 2

---

Education (Scotland) Act 1962 (c. 47)

9 (1) The Education (Scotland) Act 1962 shall be amended in accordance with the following provisions of this paragraph.

(2) In section 85, subsection (3) and, in subsection (5), the word “(3)” are hereby repealed.

(3) In section 123(2), in the proviso, the words from “and”, where secondly occurring, to the end are hereby repealed.

(4) After section 123(2), insert the following subsection—
(2A) In any scheme for any endowment, any provision which applies subsection (3) of section 85 of this Act to any certificated or registered teacher in the employment of the governing body of that endowment, or which has, in relation to such a teacher, the like effect as such a provision, shall cease to have effect.”.

**Trade Union (Amalgamations, etc.) Act 1964 (c. 24)**

Textual Amendments

Sch. 16 Pt. IV para. 10 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1.

**Remuneration of Teachers Act 1965 (c. 3)**

(1) The Remuneration of Teachers Act 1965 shall be amended in accordance with the following provisions of this paragraph.

(2) In section 3(3) for the words “Minister of Labour” substitute the words “Advisory, Conciliation and Arbitration Service”; and references in any arrangements made by the Secretary of State under section 3(1) to the Minister of Labour shall be construed as references to the Service.

(3) In section 3(3), the words from “and, where arbitrators” to the end, and section 6(d) are hereby repealed.

**Remuneration of Teachers (Scotland) Act 1967 (c. 36)**

(1) The Remuneration of Teachers (Scotland) Act 1967 shall be amended in accordance with the following provisions of this paragraph.
(2) In section 3(3) for the words “Minister of Labour” substitute the words “Advisory, Conciliation and Arbitration Service”; and references in any arrangements made by the Secretary of State under section 3(1) to the Minister of Labour shall be construed as references to the Service.

(3) In section 3(3), the words from “and, where arbiters” to the end, and section 7(c) are hereby repealed.

Modifications etc. (not altering text)

C32 The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1)(2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1)(2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Equal Pay Act 1970 (c. 41)

Textual Amendments

F168 Sch. 16 Pt. IV para. 13 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1.

14

Textual Amendments

F169 Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I, II, Pt. III paras. 8, 10, 11, 13–16, 18–30, 34, Pt. IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), Sch. 17

15

Textual Amendments

F170 Sch. 16 Pt. IV para. 15 repealed by Broadcasting Act 1981 (c. 68, SIF 96), s. 65(4), Sch. 9

House of Commons Disqualification Act 1975 (c. 24)

F171 Sch. 16 Pt. IV para. 16 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1.
Employment Protection Act 1975 (c. 71)

SCHEDULE 17 – Transitional Provisions

Document Generated: 2019-10-24

Changes to legislation: Employment Protection Act 1975 is up to date with all changes known to be in force on or before 24 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Social Security Pensions Act 1975 (c. 60)

17 After section 31(8) of the Social Security Pensions Act 1975 there shall be inserted the following subsection:—

“(9) A trade union shall be treated as recognised for the purpose of this section not only if it is recognised for the purpose of collective bargaining, but also if the Advisory Conciliation and Arbitration Service has made a recommendation for recognition under the Employment Protection Act 1975 and that recommendation is operative within the meaning of section 15 of that Act.”.

Modifications etc. (not altering text)

C33 The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. 1, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.I, Pt.II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt.IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Sex Discrimination Act 1975 (c. 65)

18 (1) The Sex Discrimination Act 1975 shall be amended in accordance with the following provisions of this paragraph.

F172(2) . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .

(3) In the Equal Pay Act 1970 as set out in Part II of Schedule I to the Sex Discrimination Act 1975 there shall be made the same amendments as are made to the former Act by paragraph 13 of this Part of this Schedule.

Textual Amendments

F172 Sch. 16 Pt. IV para. 18(2) repealed (22.11.1993) by S.I. 1993/2798, art. 1(3), Sch. para.1.

SCHEDULE 17

Section 125

TRANSITIONAL PROVISIONS

F173 . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .

Textual Amendments

F173 Sch. 17 paras. 1-6 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F174 . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .
Textual Amendments
F174 Sch. 17 paras. 1-6 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F175 Sch. 17 paras. 1-6 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F176 Sch. 17 paras. 1-6 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F177 Sch. 17 paras. 1-6 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

F178 Sch. 17 paras. 1-6 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1.

7—10.  

Textual Amendments
F179 Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I, II, Pt. III paras. 8, 10, 11, 13–16, 18–30, 34, Pt. IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), Sch. 17

11  

Textual Amendments
F180 Ss. 89–96, Schs. 7, 8, Sch. 17 para. 11 repealed by Wages Councils Act 1979 (c. 12), Schs 5, 7

12
Textual Amendments
F181 Sch. 17 para. 12 repealed (25.6.2013) by Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), Sch. 20 para. 2; S.I. 2013/1455, art. 2(c), Sch. 1 (with art. 4(2))

13

Textual Amendments
F182 Ss. 106(1), Sch. 16 Pt. III paras. 4, 17, Sch. 17 para. 13 repealed by Employment Act 1980 (c. 42), Sch. 2

14 Where any provision of this Act increases the penalty for an offence under any other enactment, that increase shall not have effect in relation to an offence committed before the commencement of the relevant provision.

15 The repeals effected by section 111 above—
   (a) in the case of subsection (1) of that section, shall not confer or affect any right to unemployment benefit in respect of any day before the commencement of that subsection, and
   (b) in the case of subsection (2) of that section, shall not affect the manner in which any person’s requirements or resources are to be ascertained in relation to any period beginning before the commencement of that subsection.

16, 17.

Textual Amendments
F183 Ss. 22–39, 41–88, 108(2)–(8), 109, 112, 119(2)(8)–(11), 120, 121(8), 122(3), 124(2)–(4), 126(3)(5), 128(2), 129(2), Schs. 2–6, Sch. 12 Pt. II paras. 8–12, Sch. 16 Pts. I, II, Pt. III paras. 8, 10, 11, 13–16, 18–30, 34, Pt.IV para. 14, Sch. 17 paras. 7–10, 16, 17 repealed by Employment Protection (Consolidation) Act 1978 (c. 44), Sch. 17

18 Any enactment or document which refers, whether specifically or by means of a general description, to an enactment which is replaced or amended by any provision of this Act, shall, except so far as the context otherwise requires, be construed as referring or as including a reference, to that provision.

19 Nothing in this Schedule shall be construed as prejudicing [F184sections 16(1) and 17(2)(a) of the M12Interpretation Act 1978] (effect of repeals).

Textual Amendments
F184 Words substituted by virtue of Interpretation Act 1978 (c. 30), s. 25(2)

Marginal Citations
M12 1978 c. 30.
SCHEDULE 18

ENACTMENTS REPEALED

Modifications etc. (not altering text)

C34 The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt.1, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–4(3), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

C35 Sch. 18: repeals to the Trade Union Act 1913 (c. 30) extended (N.I.) (1.7.1992) by S.I. 1992/807 (N.I. 5), art. 67(2); S.R. 1992/212, art. 2(3).
<table>
<thead>
<tr>
<th>Clause</th>
<th>Short Title</th>
<th>Event of Repeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>1975 c. 71</td>
<td>The Employment Protection Act 1975</td>
<td>By section 1(2) of the Employment protection Act 1975, ( \text{as inserted by } ) 1975 c. 71, ( \text{and as specified in Schedule 1 to the } ) Employment protection Act 1975</td>
</tr>
<tr>
<td>1975 c. 71</td>
<td>The Employment Protection Act 1975</td>
<td>By section 3 of the Employment Protection Act 1975</td>
</tr>
<tr>
<td>1975 c. 71</td>
<td>The Employment Protection Act 1975</td>
<td>By section 4 of the Employment Protection Act 1975</td>
</tr>
<tr>
<td>1980 c. 38</td>
<td>The Equal Opportunities Act 1980</td>
<td>By section 2 of the Equal Opportunities Act 1980</td>
</tr>
<tr>
<td>1984 c. 32</td>
<td>The Equal Opportunities Act 1984</td>
<td>By section 1 of the Equal Opportunities Act 1984</td>
</tr>
<tr>
<td>1986 c. 20</td>
<td>The Employment Protection Act 1975</td>
<td>By section 6 of the Employment Protection Act 1975</td>
</tr>
<tr>
<td>1987 c. 30</td>
<td>The Employment Protection Act 1975</td>
<td>By section 7 of the Employment Protection Act 1975</td>
</tr>
<tr>
<td>1987 c. 31</td>
<td>The Employment Protection Act 1975</td>
<td>By section 8 of the Employment Protection Act 1975</td>
</tr>
<tr>
<td>1987 c. 31</td>
<td>The Employment Protection Act 1975</td>
<td>By section 9 of the Employment Protection Act 1975</td>
</tr>
<tr>
<td>1987 c. 31</td>
<td>The Employment Protection Act 1975</td>
<td>By section 10 of the Employment Protection Act 1975</td>
</tr>
</tbody>
</table>

**Changes to legislation:** Employment Protection Act 1975 is up to date with all changes known to be in force on or before 24 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes.
### Schedule 18 – Enactments Repealed

<table>
<thead>
<tr>
<th>Title of enactment</th>
<th>Date of Royal Assent</th>
<th>Date of repeal</th>
<th>Last of effect</th>
</tr>
</thead>
</table>

The Employment Protection Act 1975 is up to date with all changes known to be in force on or before 24 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes.
Changes to legislation:
Employment Protection Act 1975 is up to date with all changes known to be in force on or before 24 October 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to:
– Sch. 13 para. 1234 repealed (3.1.1995) by 1994 c. 40 s. 81 Sch. 17
– Sch. 13 para. 6(3) (defn. of "(3.1.1995)") repealed in part by 1994 c. 40 s. 81 Sch. 17