

SCHEDULES

SCHEDULE 3

MINOR AND CONSEQUENTIAL AMENDMENTS

PART II

CONSEQUENTIAL AMENDMENTS

Employment Protection (Consolidation) Act 1978 (c.44)

28 In Schedule 12 to the 1978 Act (death of employee or employer) for paragraph 9 there there shall be substituted—

“9 Where—

- (a) the employee's contract of employment has been terminated ;
and
 - (b) by virtue of subsection (5) or (6) of section 55 a date later than the effective date of termination as defined in subsection (4) of that section is to be treated as the effective date of termination for the purposes of certain of the unfair dismissal provisions ;
and
 - (c) before that later date the employer or the employee dies ;
- subsection (5) or, as the case may be, (6) shall have effect as if the notice referred to in that section as required by section 49 would have expired on the date of the death.”.