
STATUTORY INSTRUMENTS

1980 No. 835

COAL INDUSTRY

**The Redundant Mineworkers and Concessionary Coal
(Payments Schemes) (Amendment No. 2) Order 1980**

Laid before the House of Commons in draft

Made - - - - 17th June 1980

Coming into Operation 23rd June 1980

The Secretary of State, in exercise of the powers conferred upon him by section 7(7) of the Coal Industry Act 1977, hereby makes the following Order, a draft of which has been laid before the Commons House of Parliament and has been approved by that House in accordance with section 7(7) of that Act:—

1. This Order may be cited as the Redundant Mineworkers and Concessionary Coal (Payments Schemes) (Amendment No. 2) Order 1980 and shall come into operation on 23rd June 1980.

2. The Redundant Mineworkers and Concessionary Coal (Payments Schemes) Order 1978⁽¹⁾ shall be further varied as specified in the following provisions of this Order.

3. In Article 14 of the Schedule, for sub-paragraph (1)(a) there shall be substituted the following sub-paragraph—

“(a) satisfies the conditions contained in paragraph (a) of Article 3 and for whom, when he became a redundant person, the relevant date fell after 25th March 1978 and before 23rd June 1980; and”.

4. There shall be inserted after Article 14 of the Schedule the following new Article—

“**14A.**—(1) The Secretary of State may pay to any coal industry employee who, subject to paragraph (2)—

(a) satisfies the conditions contained in paragraph (a) of Article 3 and for whom, when he became redundant, the relevant date fell on or after 23rd June 1980 and before 29th March 1981; and

(b) on the relevant date had attained the age of 21 but had not attained the age of 55 or who, having attained the age of 55, had not attained the age of 65 in the case of a man or 60 in the case of a woman, and is not eligible to receive payments under Article 5; and

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(c) satisfies the conditions contained in either paragraph (a) or (b) of Article 4(1), a sum representing the percentage of a week's pay specified in Appendix 6 in relation to his age at the relevant date for each completed year of his total period of coal industry employment (determined in accordance with Article 4(2)).

(2) For the purposes of this Article nothing in paragraph (1) shall require a coal industry employee to have completed a total period of not less than 10 years' coal industry employment.

(3) No payment shall be made under this Article—

- (a) in respect of more than 34 years' employment in the aggregate; or
- (b) in respect of any completed year of employment for which payment has been made under this Article or under Article 14; or
- (c) for any completed year in respect of which payment has been made under an agreement dated 5th June 1973 made between the Board and the National Union of Mineworkers as amended from time to time, providing for redundancy payments in the Coke and By-Products Industry.

(4) The sum payable under paragraph (1) to a coal industry employee who on the relevant date had attained the age of 64 in the case of a man, or 59 in the case of a woman, shall be reduced by one-twelfth in respect of each whole month by which such employee exceeds the said age.

(5) For the purposes of this Article, paragraphs 1 to 5 inclusive and paragraph 11 of Schedule 14 to the Employment Protection (Consolidation) Act 1978(2) shall apply for the calculation of the amount of a weeks' pay of a coal industry employee, but—

- (a) the “calculation date” referred to in those paragraphs shall be the relevant date;
- (b) notwithstanding anything in those paragraphs, in calculating the average number of weekly hours or arriving at the average hourly rate of remuneration for the purposes of paragraphs 3 and 4 of that Schedule, only weeks during which the coal industry employee was in coal industry employment shall be brought in, and any period of twelve weeks mentioned in paragraphs 3 and 4 shall be determined accordingly.

(6) For the purposes of this Article “coal industry employment” means employment with one or more coal industry employers, or with any other employer at a coal mine or at a prescribed place prior to 1 January 1947.”

5. There shall be inserted after Appendix 5 the Appendix set out in the Schedule to this Order.

17th June 1980

John E.M. Moore
Parliamentary Under Secretary of State
Department of Energy

SCHEDULE

Article 14A

APPENDIX 6

TABLE OF LUMP SUM PAYMENTS

<i>Column 1</i> <i>Age of coal industry employee on relevant date</i>	<i>Column 2</i> <i>Percentage of week's pay of coal industry employee payable for each completed year of service after his 20th birthday</i>
21	50
22	50
23	50
24	50
25	50
26	50
27	50
28	50
29	50
30	50
31	50
32	50
33	60
34	70
35	80
36	90
37	100
38	100
39	100
40	100
41	100
42	100
43	110
44	120
45	130
46	140
47	150

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<i>Column 1</i>	<i>Column 2</i>
<i>Age of coal industry employee on relevant date</i>	<i>Percentage of week's pay of coal industry employee payable for each completed year of service after his 20th birthday</i>
48	150
49	150
50	150
51	150
52	150
53	150
54	150
55 years but less than 65 years in the case of a man, or 60 years in the case of a woman, and not eligible to receive benefit under Article 5	150

EXPLANATORY NOTE

This Order makes further changes in the Redundant Mineworkers Payments Scheme scheduled to the Redundant Mineworkers and Concessionary Coal (Payments Schemes) Order 1978. The 1978 Scheme provides for benefits to certain coal industry employees made redundant between 25 March 1978 and 29 March 1981. The principal change made by this Order is the substitution (by addition of a new Article 14A) of new provisions governing lump sum payments for those made redundant on or after 23 June 1980 and before 29 March 1981. In particular a new system of calculating payments is substituted, the minimum qualifying age of those made redundant is reduced from 35 to 21 years, and the requirement of not less than ten years coal industry employment is abolished. The relevant amendments are made by Articles 4 and 5 of this Order.

The previous provision for lump sum payments (under Article 14 of the 1978 Scheme) is retained to govern the making of such payments after 22 June 1980 to coal industry employees made redundant before that date.