

## STATUTORY INSTRUMENTS

## 1985 No. 250

## TERMS AND CONDITIONS OF EMPLOYMENT

## The Redundancy Payments (Variation of Rebates) Order 1985

*Laid before Parliament in draft**Made - - - - 22nd February 1985**Coming into Operation 1st April 1985*

The Secretary of State in exercise of the powers conferred on him by paragraph 13 of Schedule 6 to the Employment Protection (Consolidation) Act 1978 ("the 1978 Act") (a) and of all other powers enabling him in that behalf, hereby makes the following Order, a draft of which has been laid before Parliament and approved by resolution of each House of Parliament:—

*Citation and commencement*

1. This Order may be cited as the Redundancy Payments (Variation of Rebates) Order 1985 and shall come into operation on 1st April 1985.

*Modification of Schedule 6 to the 1978 Act*

2. Schedule 6 to the 1978 Act shall have effect as if—

- (a) in paragraphs 1 and 8 (which provide for a redundancy rebate to be calculated by reference to certain fractions of a week's pay) for the reference to "123/200", "41/100" and "41/200" there were substituted a reference to "21/40", "7/20" and "7/40" respectively, and
- (b) in paragraphs 2 and 11 (which provide for a redundancy rebate payable in respect of a reduced payment to be 41/100 of the amount of the payment) for the reference to "41/100" there were substituted a reference to "7/20".

*Transitional and consequential provisions*

3.—(1) Article 2 above shall not have effect in relation to any redundancy rebate in respect of the whole or part of a redundancy payment if the relevant date is a date earlier than that on which this Order comes into operation.

(2) In paragraph (1) above "relevant date"—

- (a) as respects a lay-off or keeping on short-time means the relevant date as defined in section 90(2) of the 1978 Act; and
- (b) as respects a dismissal means the relevant date as defined in section 90(1) or 90(3) of the 1978 Act.

(3) Article 2 above shall not have effect in relation to any redundancy rebate payable in respect of a payment to an employee on the termination of his contract of employment which is paid in pursuance of an agreement in respect of which an order under section 96 of the 1978 Act is in operation

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(a) 1978 c.44.

where, under the agreement in question, the employee's contract is treated for the purposes of the agreement as having been terminated on a date earlier than the date on which this Order comes into operation.

Signed by order of the Secretary of State.

*Peter Bottomley,*  
Joint Parliamentary Under  
Secretary of State,  
Department of Employment.

22nd February 1985.

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#### EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order decreases the amount of rebate payable to an employer from the Redundancy Fund in respect of redundancy and equivalent payments under the Employment Protection (Consolidation) Act 1978. The rebate is decreased from 41% to 35% of the corresponding redundancy and equivalent payments.

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