

SCHEDULE 2

Article 3

MODIFICATIONS TO CERTAIN REDUNDANCY PAYMENTS PROVISIONS OF THE 1978 ACT

1. Section 81 of the 1978 Act shall have effect as if:—

(a) in subsection (1) for the words “as been continuously employed for the requisite period” there were substituted the words “as been employed in relevant health service for the requisite period” and for the words “Schedules 4, 13 and 14” there were substituted the words “Schedule 4, as modified by the Redundancy Payments (National Health Service) (Modification) Order 1993, and Schedules 13 and 14”;

(b) after subsection (4) there were inserted the following subsection:—

“(5) In this section and Schedule 4—

(a) “relevant health service” means—

(i) continuous employment by an employer referred to in the Appendix to Schedule 2 to the Redundancy Payments (National Health Service) (Modification) Order 1993, or

(ii) where immediately before the relevant event a person has been successively employed by two or more employers referred to in the Appendix to Schedule 2 to the said Order, such aggregate period of service with such employers as would be continuous employment if they were a single employer;

(b) “relevant event” means any event occurring on or after the coming into force of the Redundancy Payments (National Health Service) (Modification) Order 1993 on the happening of which an employee may become entitled to a redundancy payment in accordance with this Act.”.

2. Section 82 of the 1978 Act shall have effect as if immediately after subsection (7) there were inserted:—

“(7A) Any reference in this section to re-engagement by the employer shall be construed as including a reference to re-engagement by any employer referred to in the Appendix to Schedule 2 to the Redundancy Payments (National Health Service) (Modification) Order 1993 and any reference in this section to an offer by the employer shall be construed as including a reference to an offer made by any such employer.”

3. Section 84 of the 1978 Act shall have effect as if immediately after subsection (7) thereof there were inserted the following subsection:—

“(7A) Any reference in this section to re-engagement by the employer shall be construed as including a reference to re-engagement by any employer referred to in the Appendix to Schedule 2 to the Redundancy Payments (National Health Service) (Modification) Order 1993 and any reference in this section to an offer made by the employer shall be construed as including a reference to an offer made by any such employer.”

4. Schedule 4 to the 1978 Act shall have effect as if for paragraph 1 there were substituted the following paragraph:—

“1. The amount of a redundancy payment to which an employee is entitled in any case to which the Redundancy Payments (National Health Service) (Modification) Order 1993 applies shall, subject to the following provisions of this Schedule, be calculated by reference to the period ending with the relevant date during which he has been employed in relevant health service.”

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

5. Schedule 6 to the 1978 Act shall have effect as if in paragraph 1 for the words “Schedule 4” there were substituted the words “Schedule 4 as modified by the Redundancy Payments (National Health Service) (Modification) Order 1993”.

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

APPENDIX

EMPLOYERS WITH WHICH EMPLOYMENT MAY CONSTITUTE RELEVANT HEALTH SERVICE

Any employer described in Schedule 1 whether or not in existence at the time of the relevant event.